

EXHIBIT A

ALABAMA SJIS CASE DETAIL

PREPARED FOR: JOHN BOLUS

County: **01** Case Number: **CV-2016-904565.00**
 Style: **ROBERT BAILEY V. VOYA FINANCIAL INC.**

Court Action:

Real Time

Case

Case Information

County: **01-JEFFERSON - BIRMINGHAM** Case Number: **CV-2016-904565.00** Judge: **JJP:JAVAN J. PATTON**
 Style: **ROBERT BAILEY V. VOYA FINANCIAL INC.**
 Filed: **12/08/2016** Case Status: **ACTIVE** Case Type: **OTHER CV CASE**
 Trial Type: **JURY** Track: Appellate Case: **0**
 No of Plaintiffs: **1** No of Defendants: **1**

Damages

Damage Amt: **0.00** Punitive Damages: **0.00** General Damages: **0.00**
 No Damages: Compensatory Damages: **0.00**
 Pay To: Payment Frequency: Cost Paid By:

Court Action

Court Action Code: Court Action Desc: Court Action Date:
 Num of Trial days: **0** Num of Liens: **0** Judgment For:
 Disposition Date of Appeal: Disposition Judge: : Disposition Type:
 Revised Judgement Date: Minstral: Appeal Date:
 Date Trial Began but No Verdict (TBNV1):
 Date Trial Began but No Verdict (TBNV2):

Comments

Comment 1:
 Comment 2:

Appeal Information

Appeal Date: Appeal Case Number: Appeal Court:
 Appeal Status: Origin Of Appeal:
 Appeal To: Appeal To Desc: LowerCourt Appeal Date:
 Disposition Date Of Appeal: Disposition Type Of Appeal:

Administrative Information

Transfer to Admin Doc Date: Transfer Reason: Transfer Desc:
 Number of Subpoenas: Last Update: **12/08/2016** Updated By: **AJA**

Parties

Party 1 - Plaintiff INDIVIDUAL - BAILEY ROBERT

Party Information

Party: **C001-Plaintiff** Name: **BAILEY ROBERT** Type: **I-INDIVIDUAL**
 Index: **D VOYA FINANCI** Alt Name: Hardship: **No** JID: **HSL**
 Address 1: **C/O CAMPBELL GUIN LLC** Phone: **(205) 224-0744**

Address 2: 505 N 20TH ST, STE1600
City: BIRMINGHAM State: AL Zip: 35203-0000 Country: US
SSN: XXX-XX-X999 DOB: Sex: M Race:

Court Action

Court Action: Court Action Date:
Amount of Judgement: \$0.00 Court Action For: Exemptions:
Cost Against Party: \$0.00 Other Cost: \$0.00 Date Satisfied:
Comment: Arrest Date:
Warrant Action Date: Warrant Action Status: Status Description:

Service Information

Issued: Issued Type: Reissue: Reissue Type:
Return: Return Type: Return: Return Type:
Served: Service Type Service On: Served By:
Answer: Answer Type: Notice of No Service: Notice of No Answer:

Attorneys

Number	Attorney Code	Type of Counsel	Name	Email	Phone
Attorney 1	GUI023		GUIN JOHN CALDWELL	JOHN.GUIN@CAMPBELLGUIN.COM	(205) 224-0744
Attorney 2	CAM006		CAMPBELL ANDREW PHILLIP	ANDY.CAMPBELL@CAMPBELLGUIN.COM	(205) 224-0750

Party 2 - Defendant BUSINESS - VOYA FINANCIAL INC.

Party Information

Party: D001-Defendant Name: VOYA FINANCIAL INC. Type: B-BUSINESS
Index: C BAILEY ROBER Alt Name: Hardship: No JID: JJP
Address 1: THE CORP. TRUST CO. Phone: (205) 000-0000
Address 2: 1209 ORANGE STREET
City: WILMINGTON State: DE Zip: 19801-0000 Country: US
SSN: XXX-XX-X999 DOB: Sex: Race:

Court Action

Court Action: Court Action Date:
Amount of Judgement: \$0.00 Court Action For: Exemptions:
Cost Against Party: \$0.00 Other Cost: \$0.00 Date Satisfied:
Comment: Arrest Date:
Warrant Action Date: Warrant Action Status: Status Description:

Service Information

Issued: 12/08/2016 Issued Type: C-CERTIFIED MAIL Reissue: 03/14/2017 Reissue Type: C-CERTIFIED MAIL
Return: 01/05/2017 Return Type: U-UNDELIVERABLE Return: 01/26/2017 Return Type: O-OTHER
Served: 03/21/2017 Service Type: C-CERTIFIED MAIL Service On: Served By:
Answer: Answer Type: Notice of No Service: 03/09/2017 Notice of No Answer:

Attorneys

Number	Attorney Code	Type of Counsel	Name	Email	Phone
Attorney 1	000000		PRO SE		

Financial**Fee Sheet**

Fee Status	Admin Fee	Fee Code	Payor	Payee	Amount Due	Amount Paid	Balance	Amount Hold	Garnish Party
ACTIVE	N	AOCC	C001	000	\$0.00	\$22.59	-\$22.59	\$0.00	0
ACTIVE	N	CONV	C001	000	\$0.00	\$20.47	\$0.00	\$0.00	0
ACTIVE	N	CV05	C001	000	\$306.00	\$306.00	\$0.00	\$0.00	0
ACTIVE	N	JDMD	C001	000	\$100.00	\$100.00	\$0.00	\$0.00	0
ACTIVE	N	VADM	C001	000	\$45.00	\$45.00	\$0.00	\$0.00	0
Total:					\$451.00	\$494.06	-\$43.06	\$0.00	

Financial History

Transaction Date	Description	Disbursement Account	Transaction Batch	Receipt Number	Amount	From Party	To Party	Money Type	Admin Fee	Reason	Attorney	Operator
12/08/2016	CREDIT	CONV	2017047	8441940	\$18.37	C001	000		N			EDH
12/08/2016	RECEIPT	AOCC	2017047	8441930	\$6.89	C001	000		N			EDH
12/08/2016	RECEIPT	CV05	2017047	8441950	\$306.00	C001	000		N			EDH
12/08/2016	RECEIPT	JDMD	2017047	8441960	\$100.00	C001	000		N			EDH
12/08/2016	RECEIPT	VADM	2017047	8441970	\$45.00	C001	000		N			EDH
01/13/2017	CREDIT	CONV	2017071	8508400	\$1.05	C001	000		N			EDH
01/13/2017	RECEIPT	AOCC	2017071	8508390	\$7.78	C001	000		N			EDH
03/14/2017	CREDIT	CONV	2017113	8638750	\$1.05	C001	000		N			PAS
03/14/2017	RECEIPT	AOCC	2017113	8638740	\$7.92	C001	000		N			PAS

Case Action Summary

Date:	Time	Code	Comments	Operator
12/8/2016	2:33 PM	ECOMP	COMPLAINT E-FILED.	GUI023
12/8/2016	2:34 PM	FILE	FILED THIS DATE: 12/08/2016 (AV01)	AJA
12/8/2016	2:34 PM	EORD	E-ORDER FLAG SET TO "Y" (AV01)	AJA
12/8/2016	2:34 PM	ASSJ	ASSIGNED TO JUDGE: HELEN SHORES LEE (AV01)	AJA
12/8/2016	2:34 PM	SCAN	CASE SCANNED STATUS SET TO: N (AV01)	AJA
12/8/2016	2:34 PM	TDMJ	JURY TRIAL REQUESTED (AV01)	AJA
12/8/2016	2:34 PM	ORIG	ORIGIN: INITIAL FILING (AV01)	AJA
12/8/2016	2:34 PM	STAT	CASE ASSIGNED STATUS OF: ACTIVE (AV01)	AJA
12/8/2016	2:34 PM	C001	INDIGENT FLAG SET TO: N (AV02)	AJA
12/8/2016	2:34 PM	C001	C001 E-ORDER FLAG SET TO "N" (AV02)	AJA
12/8/2016	2:34 PM	C001	C001 PARTY ADDED: BAILEY ROBERT (AV02)	AJA
12/8/2016	2:34 PM	C001	LISTED AS ATTORNEY FOR C001: CAMPBELL ANDREW PHIL	AJA
12/8/2016	2:34 PM	C001	LISTED AS ATTORNEY FOR C001: GUIN JOHN CALDWELL	AJA
12/8/2016	2:34 PM	D001	INDIGENT FLAG SET TO: N (AV02)	AJA
12/8/2016	2:34 PM	D001	LISTED AS ATTORNEY FOR D001: PRO SE (AV02)	AJA
12/8/2016	2:34 PM	D001	D001 PARTY ADDED: VOYA FINANCIAL INC. (AV02)	AJA
12/8/2016	2:34 PM	D001	CERTIFIED MAI ISSUED: 12/08/2016 TO D001 (AV02)	AJA
12/8/2016	2:34 PM	D001	D001 E-ORDER FLAG SET TO "N" (AV02)	AJA

12/15/2016	12:33 PM	ESCAN	SCAN - FILED 12/15/2016 - NOTICE	JOB
12/22/2016	11:34 AM	EDISC	NOTICE OF DISCOVERY E-FILED.	GUI023
1/12/2017	10:29 AM	D001	RETURN OF UNDELIVERABLE ON 01/05/2017 FOR D001	LOH
1/12/2017	10:29 AM	ESERC	SERVICE RETURN	LOH
1/13/2017	11:09 AM	EALIA	ALIAS SUMMONS E-FILED	GUI023
1/13/2017	11:10 AM	D001	D001 ADDR2 CHANGED FROM: 1 SOUTH RODNEY DRIVE	AJA
1/13/2017	11:10 AM	D001	REISSUE OF CERTIFIED MA ON 01/13/2017 FOR D001	AJA
1/13/2017	11:11 AM	ETRAN	ALIAS SUMMONS - SUMMONS	
1/17/2017	9:45 AM	D001	REISSUE OF CERTIFIED MA ON 01/17/2017 FOR D001	ZEC
1/17/2017	10:19 AM	ESCAN	SCAN - FILED 1/17/2017 - ALIAS SUMMONS	ZEC
1/30/2017	9:49 AM	D001	SERVICE OF CERTIFIED MAI ON 01/23/2017 FOR D001	LOH
1/30/2017	9:49 AM	ESERC	SERVICE RETURN	LOH
1/30/2017	2:35 PM	D001	SERVICE DATE AND TYPE DELETED (AV02)	LOH
1/30/2017	2:38 PM	D001	RETURN OF OTHER ON 01/26/2017 FOR D001 (AV02)	LOH
1/30/2017	2:38 PM	ESERC	SERVICE RETURN	LOH
1/30/2017	2:40 PM	TEXT	CONT...LETTER FROM RL& F SERVICE CORP ATTACHED	LOH
3/9/2017	7:36 PM	NSRV	NO SERVICE NOTICE ISSUED TO C001 (V801)	LOH
3/13/2017	9:41 AM	EALIA	ALIAS SUMMONS E-FILED	GUI023
3/13/2017	9:41 AM	D001	D001 ADDR1 CHANGED FROM: RL&F SERVICE CORP. (AV02)	AJA
3/13/2017	9:41 AM	D001	D001 ADDR2 CHANGED FROM: 920 N. KING ST., FLOOR 2	AJA
3/13/2017	9:41 AM	D001	REISSUE OF CERTIFIED MA ON 03/13/2017 FOR D001	AJA
3/13/2017	9:41 AM	ETRAN	ALIAS SUMMONS - SUMMONS	
3/14/2017	3:52 PM	D001	REISSUE OF CERTIFIED MA ON 03/14/2017 FOR D001	ZEC
3/14/2017	3:53 PM	ESCAN	SCAN - FILED 3/14/2017 - ALIAS SUMMONS	ZEC
3/31/2017	2:30 PM	ESERC	SERVICE RETURN	LOH
3/31/2017	2:30 PM	D001	SERVICE OF CERTIFIED MAI ON 03/21/2017 FOR D001	LOH



END OF THE REPORT



State of Alabama Unified Judicial System Form ARCiv-93 Rev.5/99	COVER SHEET CIRCUIT COURT - CIVIL CASE (Not For Domestic Relations Cases)	Ca: 01 JEFFERSON COUNTY, ALABAMA ANNE-MARIE ADAMS, CLERK Date of Filing: 12/08/2016 Judge Code:
GENERAL INFORMATION		
IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA ROBERT BAILEY v. VOYA FINANCIAL INC.		
First Plaintiff: <input type="checkbox"/> Business <input checked="" type="checkbox"/> Individual <input type="checkbox"/> Government <input type="checkbox"/> Other		
First Defendant: <input checked="" type="checkbox"/> Business <input type="checkbox"/> Individual <input type="checkbox"/> Government <input type="checkbox"/> Other		
NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:		
TORTS: PERSONAL INJURY <input type="checkbox"/> WDEA - Wrongful Death <input type="checkbox"/> TONG - Negligence: General <input type="checkbox"/> TOMV - Negligence: Motor Vehicle <input type="checkbox"/> TOWA - Wantonness <input type="checkbox"/> TOPL - Product Liability/AEMLD <input type="checkbox"/> TOMM - Malpractice-Medical <input type="checkbox"/> TOLM - Malpractice-Legal <input type="checkbox"/> TOOM - Malpractice-Other <input type="checkbox"/> TBFM - Fraud/Bad Faith/Misrepresentation <input type="checkbox"/> TOXX - Other: _____	OTHER CIVIL FILINGS (cont'd) <input type="checkbox"/> MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/ Enforcement of Agency Subpoena/Petition to Preserve <input type="checkbox"/> CVRT - Civil Rights <input type="checkbox"/> COND - Condemnation/Eminent Domain/Right-of-Way <input type="checkbox"/> CTMP - Contempt of Court <input type="checkbox"/> CONT - Contract/Ejectment/Writ of Seizure <input type="checkbox"/> TOCN - Conversion <input type="checkbox"/> EQND - Equity Non-Damages Actions/Declaratory Judgment/ Injunction Election Contest/Quiet Title/Sale For Division <input type="checkbox"/> CVUD - Eviction Appeal/Unlawful Detainer <input type="checkbox"/> FORJ - Foreign Judgment <input type="checkbox"/> FORF - Fruits of Crime Forfeiture <input type="checkbox"/> MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition <input type="checkbox"/> PFAB - Protection From Abuse <input type="checkbox"/> FELA - Railroad/Seaman (FELA) <input type="checkbox"/> RPRO - Real Property <input type="checkbox"/> WTEG - Will/Trust/Estate/Guardianship/Conservatorship <input type="checkbox"/> COMP - Workers' Compensation <input checked="" type="checkbox"/> CVXX - Miscellaneous Circuit Civil Case	
TORTS: PERSONAL INJURY <input type="checkbox"/> TOPE - Personal Property <input type="checkbox"/> TORE - Real Properly	OTHER CIVIL FILINGS <input type="checkbox"/> ABAN - Abandoned Automobile <input type="checkbox"/> ACCT - Account & Nonmortgage <input type="checkbox"/> APAA - Administrative Agency Appeal <input type="checkbox"/> ADPA - Administrative Procedure Act <input type="checkbox"/> ANPS - Adults in Need of Protective Service	
ORIGIN: F <input checked="" type="checkbox"/> INITIAL FILING A <input type="checkbox"/> APPEAL FROM DISTRICT COURT O <input type="checkbox"/> OTHER R <input type="checkbox"/> REMANDED T <input type="checkbox"/> TRANSFERRED FROM OTHER CIRCUIT COURT		
HAS JURY TRIAL BEEN DEMANDED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P, for procedure)		
RELIEF REQUESTED: <input checked="" type="checkbox"/> MONETARY AWARD REQUESTED <input type="checkbox"/> NO MONETARY AWARD REQUESTED		
ATTORNEY CODE: GUI023 12/8/2016 2:33:56 PM /s/ JOHN CALDWELL GUIN Date Signature of Attorney/Party filing this form		
MEDIATION REQUESTED: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNDECIDED		



IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY,

Plaintiff,

v.

**VOYA FINANCIAL INC. and
 FICTITIOUS DEFENDANTS A–Z,
 being those persons or entities
 currently unknown to Plaintiff who
 are responsible for the wrongful
 conduct that forms the basis of this
 Complaint,**

Defendants.

Case No.

COMPLAINT

COMES NOW Plaintiff Robert Bailey (“Mr. Bailey” or “Plaintiff”) and brings the following Complaint against Defendants VOYA Financial Inc. (“VOYA”) and Fictitious Defendants A–Z. In support of this Complaint, Plaintiff states as follows:

THE PARTIES

1. Plaintiff Mr. Bailey is an adult individual and Alabama citizen. He is currently employed by Morgan Stanley, and works at its Birmingham office in Jefferson County, Alabama. At all times relevant to this Complaint, Mr. Bailey worked at offices located within Jefferson County, Alabama.

2. Upon information and belief, Defendant VOYA is an insurance company that is incorporated in Delaware, has its principal place of business in New York, and does business by

agent in Jefferson County, Alabama. VOYA is the successor company to ING U.S., Inc. (“ING”), with the change occurring around April 7, 2014.¹

3. Fictitious Defendants A–Z are those persons or entities currently unknown to Plaintiff who are responsible for the wrongful conduct that forms the basis of this Complaint.

JURISDICTION AND VENUE

4. The amount in controversy exceeds \$10,000, giving this Court jurisdiction over this matter.

5. Venue is proper in this Court under Ala. Code § 6-3-7(a)(1) because a substantial part of the events or omissions giving rise to the claims alleged herein occurred in Jefferson County, Alabama. For example, VOYA made the promises that form the basis of the Commission Contract in Jefferson County. *See infra* ¶¶ 9–11. Further, Mr. Bailey performed his duties under the Commission Contract in Jefferson County. *See infra* ¶¶ 12–13. In the alternative, venue is appropriate under Ala. Code § 6-3-7(a)(4) because VOYA does business by agent in Jefferson County.

FACTUAL ALLEGATIONS

6. Mr. Bailey is a licensed insurance broker, meaning, among other things, he can market and sell insurance products provided by a number of different insurance companies.

7. Accordingly, insurance companies market their products to Mr. Bailey so that he can, in turn, market and sell those products to consumers.

8. Mr. Bailey has worked for a variety of insurance brokerages located within Jefferson County, Alabama.

¹ During most of the times relevant to the Complaint, Mr. Bailey was dealing with ING. Thus, for the sake of simplicity, all references herein to VOYA also include a reference to ING where the context so requires.

9. Around September of 2002, Mr. Bailey began employment at Legg Mason's office in downtown Birmingham, Alabama.

10. Years later, around 2004, a representative of VOYA visited Mr. Bailey at Legg Mason's Jefferson County office to market VOYA annuity products.

11. During this meeting, the representative promised, on behalf of VOYA, that if Mr. Bailey sold VOYA annuities, he would receive a 0.25% trail commission for the first seven years after the start of the annuity, and 1% thereafter (this agreement is hereinafter referred to as the "Commission Contract"). Mr. Bailey would receive these trail commissions until the earlier of the surrender of the annuity or death of the annuitant.

12. Subsequently, Mr. Bailey sold at least 22 VOYA annuities: Policy #s C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X.

13. Mr. Bailey sold all of the aforementioned annuity products either through telephone calls he made from his office in Jefferson County or through in-person meetings that occurred at his office in Jefferson County.

14. Although Mr. Bailey performed his duties under the Commission Contract, VOYA has not paid Mr. Bailey the full portion of his promised trail commissions. More specifically, Mr. Bailey has not received any trail commissions on some policies, while on others he has received less than the promised amount.

15. In early 2009—then employed at Morgan Stanley's Birmingham office—Mr. Bailey met with a VOYA representative to discuss client benefits. During this meeting, the

representative also assured Mr. Bailey that he would be paid the trail commissions promised earlier; that is, 0.25% for the first seven years after the start of the annuity, and 1% thereafter.

16. Despite the representative's admission, however, VOYA refuses to pay Mr. Bailey his promised trail commissions.

CAUSES OF ACTION

COUNT ONE: BREACH OF CONTRACT (Against VOYA)

17. Plaintiff incorporates by reference all allegations contained in the foregoing paragraphs of this Complaint as if fully set out herein.

18. Mr. Bailey and VOYA entered into a contract whereby, if Mr. Bailey sold certain annuity products, VOYA would pay Mr. Bailey a 0.25% trail commission for the first seven years after the start of the annuity, and 1% thereafter (the "Commission Contract").

19. Mr. Bailey performed his duties under the Commission Contract by, among other things, selling at least 22 VOYA annuities.

20. Consequently, VOYA became contractually obligated to pay to Mr. Bailey a trail commission of 0.25% trail commission for the first seven years after the start of each of the 22 aforementioned annuities, and 1% thereafter.

21. VOYA breached the Commission Contract by refusing to pay Mr. Bailey the full portion of these trail commissions.

22. Mr. Bailey has been damaged as a direct and foreseeable result of this breach in an amount to be determined at trial.

**COUNT TWO: QUANTUM MERUIT
(Against VOYA)**

23. Plaintiff incorporates by reference all allegations contained in the foregoing paragraphs of this Complaint as if fully set out herein.

24. This is an action for quantum meruit to recover the reasonable value of the services in connection with Mr. Bailey's services as a broker who sold VOYA annuity products. Mr. Bailey vigorously maintains an enforceable contract exists between him and VOYA. However, this cause of action is alleged in the alternative, assuming *arguendo* no enforceable contract exists between Mr. Bailey and VOYA.

25. At the times relevant to this Complaint, Mr. Bailey performed valuable services for VOYA, including, but not limited to, the following: (1) marketing VOYA annuity products to various clients; and (2) actually selling VOYA annuity products to at least 19 clients.

26. These services provided a benefit knowingly accepted by VOYA.

27. VOYA has refused to pay reasonable value for the benefits it received from Mr. Bailey's services, thus damaging Mr. Bailey in an amount to be determined at trial.

**COUNT THREE: DECLARATORY JUDGMENT
(Against VOYA)**

28. Plaintiff incorporates by reference all allegations contained in the foregoing paragraphs of this Complaint as if fully set out herein.

29. Where a justiciable controversy exists, Ala. Code § 6-6-222 grants courts the "power to declare rights, status, and other legal relations whether or not further relief is or could be claimed."

30. A justiciable controversy exists between Plaintiff and VOYA as to, among other things, whether VOYA is obligated to pay Mr. Bailey trail commissions on each of the 22 annuities described *supra* ¶ 12 until the earlier of the surrender of the annuity or death of the annuitant.

WHEREFORE, Plaintiff hereby demands judgment against Defendant, as follows:

- (a) with respect to the First Count for Breach of Contract, awarding Plaintiff damages in an amount to be determined at trial, plus interest, costs, and any other amounts to which Plaintiff is legally entitled;
- (b) with respect to the Second Count for Quantum Meruit, awarding Plaintiff damages in an amount to be determined at trial, plus interest, costs, and any other amounts to which Plaintiff is legally entitled;
- (c) with respect to the Third Count for Declaratory Judgment, declaring that an enforceable contract exists between Mr. Bailey and VOYA obligating VOYA to pay Mr. Bailey trail commissions on each of the 19 annuities described *supra* ¶ 12 until the earlier of the surrender of the annuity or death of the annuitant; and
- (d) granting Plaintiff such other, further, and different relief as the Court deems just and proper.

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury on all issues so triable.

Respectfully Submitted,

/s/ John C. Guin
Attorney for Plaintiff

Andrew P. Campbell
John C. Guin
CAMPBELL GUIN, LLC
505 20th Street North, Suite 1600
Birmingham, AL 35203
Telephone: (205) 224-0750
andrew.campbell@campbellguin.com
john.guin@campbellguin.com

PLEASE SERVE THE FOLLOWING DEFENDANT(S) BY CERTIFIED MAIL:

VOYA Financial Inc.
c/o RL&F Service Corp.
1 South Rodney Drive
Wilmington, DE 19809



AlaFile E-Notice

01-CV-2016-904565.00

To: JOHN CALDWELL GUIN
john.guin@campbellguin.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

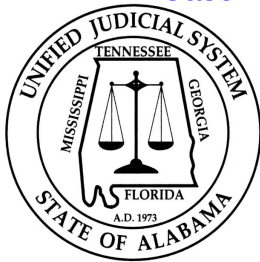
ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following complaint was FILED on 12/8/2016 2:34:17 PM

Notice Date: 12/8/2016 2:34:17 PM

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov



AlaFile E-Notice

01-CV-2016-904565.00

To: VOYA FINANCIAL INC.
RL&F SERVICE CORP.
1 SOUTH RODNEY DRIVE
WILMINGTON, DE, 19809

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following complaint was FILED on 12/8/2016 2:34:17 PM

Notice Date: 12/8/2016 2:34:17 PM

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov

State of Alabama Unified Judicial System Form C-34 Rev 6/88	SUMMONS - CIVIL -	Case Number: 01-CV-2016-904565.00
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IN THE CIRCUIT COURT OF JEFFERSON COUNTY
 ROBERT BAILEY V. VOYA FINANCIAL INC.

VOYA FINANCIAL INC., RL&F SERVICE CORP. 1 SOUTH RODNEY DRIVE, WILMINGTON, DE 19809

NOTICE TO _____

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE OPPOSING PARTY'S ATTORNEY JOHN CALDWELL GUIN

WHOSE ADDRESS IS 505 20th St., N, 16th Floor, BIRMINGHAM, AL 35203

THE ANSWER MUST BE MAILED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.

TO ANY SHERIFF OR ANY PERSONNEL AUTHORIZED by the Alabama Rules of the Civil Procedure:

☐ You are hereby commanded to serve this summons and a copy of the complaint in this action upon the defendant

☒ Service by certified mail of this summons is initiated upon the written request of ROBERT BAILEY

pursuant to the Alabama Rules of the Civil Procedure

Date 12/8/2016 2:34:17 PM /s/ ANNE-MARIE ADAMS

Clerk/Register

JEFFERSON COUNTY, ALABAMA

716 N. RICHARD ARRINGTON BLVD.

BIRMINGHAM, AL 35203

☒ Certified Mail is hereby requested /s/ JOHN CALDWELL GUIN

Plaintiff's/Attorney's Signature

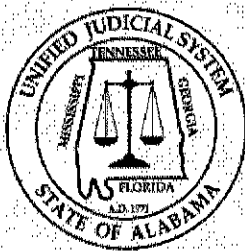
RETURN ON SERVICE:

☐ Return receipt of certified mail received in this office on _____

☐ I certify that I personally delivered a copy of the Summons and Complaint to _____

_____ in _____ County, Alabama on _____ (Date)

Date _____	Server's Signature _____	Address of Server _____
Type of Server _____	Server's Printed Name _____	_____
		Phone Number of Server _____



NOTICE TO CLERK

REQUIREMENTS FOR COMPLETING SERVICE BY
CERTIFIED MAIL OR FIRST CLASS MAIL

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
ROBERT BAILEY V. VOYA FINANCIAL INC.

01-CV-2016-904565.00

To: CLERK BIRMINGHAM
clerk.birmingham@alacourt.gov

TOTAL POSTAGE PAID: \$6.89

Parties to be served by Certified Mail - Return Receipt Requested

VOYA FINANCIAL INC.
RL&F SERVICE CORP.
1 SOUTH RODNEY DRIVE
WILMINGTON, DE 19809

Postage: \$6.89

Parties to be served by Certified Mail - Restricted Delivery - Return Receipt Requested

Parties to be served by First Class Mail

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

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Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to: VOYA FINANCIAL INC. RL&F SERVICE CORP. 1 SOUTH RODNEY DRIVE WILMINGTON, DE 19809</p> <p><u>CV3016 904565 s/c</u></p> <p>9590 9402 2408 6249 0921 27</p> <p>2. Article Number (Transfer from service label) <u>7016 1970 0000 4353 4040</u></p>	<p>A. Signature <u>X</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Restricted Delivery</p>
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt



IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY,)	
)	
Plaintiff,)	Case No.
)	01-CV-2016-904565.00
v.)	
)	
VOYA FINANCIAL INC. and)	
FICTITIOUS DEFENDANTS A–Z,)	
being those persons or entities)	
currently unknown to Plaintiff who)	
are responsible for the wrongful)	
conduct that forms the basis of this)	
Complaint,)	
)	
Defendants.)	

PLAINTIFF’S NOTICE OF SERVICE OF DISCOVERY

TO: CIRCUIT CLERK

Please take notice that the following discovery documents were served on behalf of Plaintiff on December 22, 2016:

(X) Plaintiff’s First Requests for Admission, Interrogatories and Requests for Production

Respectfully Submitted,

/s/ John C. Guin
 Attorney for Plaintiffs

OF COUNSEL:

Andrew P. Campbell
 John C. Guin
 CAMPBELL GUIN, LLC
 505 20th Street North, Suite 1600
 Birmingham, AL 35203
 Telephone: (205) 224-0750
andy.campbell@campbellguin.com
john.guin@campbellguin.com

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of December, 2016, I have served a copy of the foregoing via Certified U.S. Mail postage prepaid and properly addressed to the following:

VOYA Financial Inc.
c/o RL&F Service Corp.
1 South Rodney Drive
Wilmington, DE 19809

/s/ John C. Guin



AlaFile E-Notice

01-CV-2016-904565.00

To: JOHN CALDWELL GUIN
john.guin@campbellguin.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following discovery was FILED on 12/22/2016 11:34:42 AM

Notice Date: 12/22/2016 11:34:42 AM

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov



AlaFile E-Notice

01-CV-2016-904565.00

To: VOYA FINANCIAL INC. (PRO SE)
RL&F SERVICE CORP.
1 SOUTH RODNEY DRIVE
WILMINGTON, DE, 19809-0000

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following discovery was FILED on 12/22/2016 11:34:42 AM

Notice Date: 12/22/2016 11:34:42 AM

ANNE-MARIE ADAMS
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JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov



AlaFile E-Notice

01-CV-2016-904565.00

To: CAMPBELL ANDREW PHILLIP
andy.campbell@campbellguin.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following discovery was FILED on 12/22/2016 11:34:42 AM

Notice Date: 12/22/2016 11:34:42 AM

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

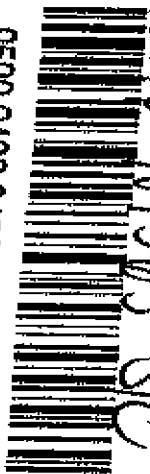
205-325-5355
anne-marie.adams@alacourt.gov

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

VOYA FINANCIAL INC.
RL&F SERVICE CORP.
1 SOUTH RODNEY DRIVE
WILMINGTON, DE 19809



9590 9402 2408 6249 0921 27

2. Article Number (transfer from service label)

7016 1970 0000 4353 4040

PS Form 3811, July 2015 PSN 7530-02-000-8053

COMPLETE THIS SECTION ON DELIVERY**A. Signature**

X

☐ Agent
☐ Addressee

B. Received by (Printed Name)**C. Date of Delivery**

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

7001

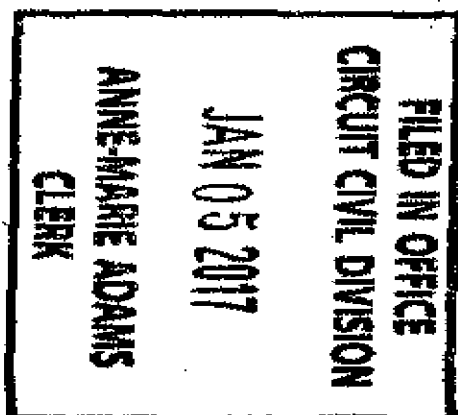
3. Service Type

- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input checked="" type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input checked="" type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
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Domestic Return Receipt

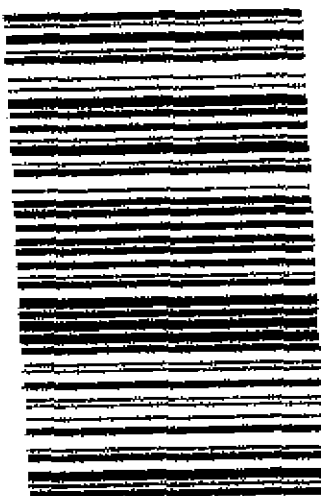


ANNE-MARIE ADAMS, CLERK
CIRCUIT COURT OF JEFFERSON COUNTY
CIVIL DIVISION - ROOM 400
716 RICHARD ARRINGTON JR. BLVD NORTH
BIRMINGHAM, ALABAMA 35203



TO: VOYA FINANCIAL INC.
PL&F SERVICE CORP.
1 SOUTH RODNEY DRIVE
WILMINGTON, DE, 19809

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
 OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
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NIXIE 176 FEB 1 0001/02/17

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 UNABLE TO FORWARD

TF BC: 35203010100 2419-01182-23-35

35203010100
 150100000000



AlaFile E-Notice

01-CV-2016-904565.00

Judge: HELEN SHORES LEE

To: GUIN JOHN CALDWELL
john.guin@campbellguin.com

NOTICE OF NO SERVICE

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following matter was not served on 1/5/2017

D001 VOYA FINANCIAL INC.**Corresponding To**

UNDELIVERABLE

AS ADDRESSED - S/C

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov



AlaFile E-Notice

01-CV-2016-904565.00

Judge: HELEN SHORES LEE

To: CAMPBELL ANDREW PHILLIP
andy.campbell@campbellguin.com

NOTICE OF NO SERVICE

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following matter was not served on 1/5/2017

D001 VOYA FINANCIAL INC.**Corresponding To**

UNDELIVERABLE

AS ADDRESSED - S/C

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov



AlaFile E-Notice

ELECTRONICALLY FILED
1/13/2017 11:09 AM
01-CV-2016-904565.00
CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
ANNE-MARIE ADAMS, CLERK

01-CV-2016-904565.00

To: JOHN CALDWELL GUIN
john.guin@campbellguin.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following complaint was FILED on 12/8/2016 2:34:17 PM

Notice Date: 12/8/2016 2:34:17 PM

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov



Case:

01

Date of Filing:
12/08/2016

Judge Code:

State of Alabama Unified Judicial System Form ARCiv-93 Rev.5/99	COVER SHEET CIRCUIT COURT - CIVIL CASE (Not For Domestic Relations Cases)	Case: 01 Date of Filing: 12/08/2016 Judge Code:
GENERAL INFORMATION		
IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA ROBERT BAILEY v. VOYA FINANCIAL INC.		
First Plaintiff: <input type="checkbox"/> Business <input checked="" type="checkbox"/> Individual First Defendant: <input checked="" type="checkbox"/> Business <input type="checkbox"/> Individual <input type="checkbox"/> Government <input type="checkbox"/> Other <input type="checkbox"/> Government <input type="checkbox"/> Other		
NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:		
TORTS: PERSONAL INJURY <input type="checkbox"/> WDEA - Wrongful Death <input type="checkbox"/> TONG - Negligence: General <input type="checkbox"/> TOMV - Negligence: Motor Vehicle <input type="checkbox"/> TOWA - Wantonness <input type="checkbox"/> TOPL - Product Liability/AEMLD <input type="checkbox"/> TOMM - Malpractice-Medical <input type="checkbox"/> TOLM - Malpractice-Legal <input type="checkbox"/> TOOM - Malpractice-Other <input type="checkbox"/> TBFM - Fraud/Bad Faith/Misrepresentation <input type="checkbox"/> TOXX - Other: _____ TORTS: PERSONAL INJURY <input type="checkbox"/> TOPE - Personal Property <input type="checkbox"/> TORE - Real Property OTHER CIVIL FILINGS <input type="checkbox"/> ABAN - Abandoned Automobile <input type="checkbox"/> ACCT - Account & Nonmortgage <input type="checkbox"/> APAA - Administrative Agency Appeal <input type="checkbox"/> ADPA - Administrative Procedure Act <input type="checkbox"/> ANPS - Adults in Need of Protective Service	OTHER CIVIL FILINGS (cont'd) <input type="checkbox"/> MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/ Enforcement of Agency Subpoena/Petition to Preserve <input type="checkbox"/> CVRT - Civil Rights <input type="checkbox"/> COND - Condemnation/Eminent Domain/Right-of-Way <input type="checkbox"/> CTMP - Contempt of Court <input type="checkbox"/> CONT - Contract/Ejectment/Writ of Seizure <input type="checkbox"/> TOCN - Conversion <input type="checkbox"/> EQND - Equity Non-Damages Actions/Declaratory Judgment/ Injunction Election Contest/Quiet Title/Sale For Division <input type="checkbox"/> CVUD - Eviction Appeal/Unlawful Detainer <input type="checkbox"/> FORJ - Foreign Judgment <input type="checkbox"/> FORF - Fruits of Crime Forfeiture <input type="checkbox"/> MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition <input type="checkbox"/> PFAB - Protection From Abuse <input type="checkbox"/> FELA - Railroad/Seaman (FELA) <input type="checkbox"/> RPRO - Real Property <input type="checkbox"/> WTEG - Will/Trust/Estate/Guardianship/Conservatorship <input type="checkbox"/> COMP - Workers' Compensation <input checked="" type="checkbox"/> CVXX - Miscellaneous Circuit Civil Case	
ORIGIN: F <input checked="" type="checkbox"/> INITIAL FILING A <input type="checkbox"/> APPEAL FROM DISTRICT COURT O <input type="checkbox"/> OTHER R <input type="checkbox"/> REMANDED T <input type="checkbox"/> TRANSFERRED FROM OTHER CIRCUIT COURT		
HAS JURY TRIAL BEEN DEMANDED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P., for procedure)		
RELIEF REQUESTED: <input checked="" type="checkbox"/> MONETARY AWARD REQUESTED <input type="checkbox"/> NO MONETARY AWARD REQUESTED		
ATTORNEY CODE: GUI023 12/8/2016 2:33:56 PM /s/ JOHN CALDWELL GUIN _____ Date Signature of Attorney/Party filing this form		
MEDIATION REQUESTED: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNDECIDED		



IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY,

Plaintiff,

v.

**VOYA FINANCIAL INC. and
FICTITIOUS DEFENDANTS A–Z,
being those persons or entities
currently unknown to Plaintiff who
are responsible for the wrongful
conduct that forms the basis of this
Complaint,**

Defendants.

Case No.

COMPLAINT

COMES NOW Plaintiff Robert Bailey (“Mr. Bailey” or “Plaintiff”) and brings the following Complaint against Defendants VOYA Financial Inc. (“VOYA”) and Fictitious Defendants A–Z. In support of this Complaint, Plaintiff states as follows:

THE PARTIES

1. Plaintiff Mr. Bailey is an adult individual and Alabama citizen. He is currently employed by Morgan Stanley, and works at its Birmingham office in Jefferson County, Alabama. At all times relevant to this Complaint, Mr. Bailey worked at offices located within Jefferson County, Alabama.

2. Upon information and belief, Defendant VOYA is an insurance company that is incorporated in Delaware, has its principal place of business in New York, and does business by

agent in Jefferson County, Alabama. VOYA is the successor company to ING U.S., Inc. (“ING”), with the change occurring around April 7, 2014.¹

3. Fictitious Defendants A–Z are those persons or entities currently unknown to Plaintiff who are responsible for the wrongful conduct that forms the basis of this Complaint.

JURISDICTION AND VENUE

4. The amount in controversy exceeds \$10,000, giving this Court jurisdiction over this matter.

5. Venue is proper in this Court under Ala. Code § 6-3-7(a)(1) because a substantial part of the events or omissions giving rise to the claims alleged herein occurred in Jefferson County, Alabama. For example, VOYA made the promises that form the basis of the Commission Contract in Jefferson County. *See infra* ¶¶ 9–11. Further, Mr. Bailey performed his duties under the Commission Contract in Jefferson County. *See infra* ¶¶ 12–13. In the alternative, venue is appropriate under Ala. Code § 6-3-7(a)(4) because VOYA does business by agent in Jefferson County.

FACTUAL ALLEGATIONS

6. Mr. Bailey is a licensed insurance broker, meaning, among other things, he can market and sell insurance products provided by a number of different insurance companies.

7. Accordingly, insurance companies market their products to Mr. Bailey so that he can, in turn, market and sell those products to consumers.

8. Mr. Bailey has worked for a variety of insurance brokerages located within Jefferson County, Alabama.

¹ During most of the times relevant to the Complaint, Mr. Bailey was dealing with ING. Thus, for the sake of simplicity, all references herein to VOYA also include a reference to ING where the context so requires.

9. Around September of 2002, Mr. Bailey began employment at Legg Mason's office in downtown Birmingham, Alabama.

10. Years later, around 2004, a representative of VOYA visited Mr. Bailey at Legg Mason's Jefferson County office to market VOYA annuity products.

11. During this meeting, the representative promised, on behalf of VOYA, that if Mr. Bailey sold VOYA annuities, he would receive a 0.25% trail commission for the first seven years after the start of the annuity, and 1% thereafter (this agreement is hereinafter referred to as the "Commission Contract"). Mr. Bailey would receive these trail commissions until the earlier of the surrender of the annuity or death of the annuitant.

12. Subsequently, Mr. Bailey sold at least 22 VOYA annuities: Policy #s C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X.

13. Mr. Bailey sold all of the aforementioned annuity products either through telephone calls he made from his office in Jefferson County or through in-person meetings that occurred at his office in Jefferson County.

14. Although Mr. Bailey performed his duties under the Commission Contract, VOYA has not paid Mr. Bailey the full portion of his promised trail commissions. More specifically, Mr. Bailey has not received any trail commissions on some policies, while on others he has received less than the promised amount.

15. In early 2009—then employed at Morgan Stanley's Birmingham office—Mr. Bailey met with a VOYA representative to discuss client benefits. During this meeting, the

representative also assured Mr. Bailey that he would be paid the trail commissions promised earlier; that is, 0.25% for the first seven years after the start of the annuity, and 1% thereafter.

16. Despite the representative's admission, however, VOYA refuses to pay Mr. Bailey his promised trail commissions.

CAUSES OF ACTION

COUNT ONE: BREACH OF CONTRACT (Against VOYA)

17. Plaintiff incorporates by reference all allegations contained in the foregoing paragraphs of this Complaint as if fully set out herein.

18. Mr. Bailey and VOYA entered into a contract whereby, if Mr. Bailey sold certain annuity products, VOYA would pay Mr. Bailey a 0.25% trail commission for the first seven years after the start of the annuity, and 1% thereafter (the "Commission Contract").

19. Mr. Bailey performed his duties under the Commission Contract by, among other things, selling at least 22 VOYA annuities.

20. Consequently, VOYA became contractually obligated to pay to Mr. Bailey a trail commission of 0.25% trail commission for the first seven years after the start of each of the 22 aforementioned annuities, and 1% thereafter.

21. VOYA breached the Commission Contract by refusing to pay Mr. Bailey the full portion of these trail commissions.

22. Mr. Bailey has been damaged as a direct and foreseeable result of this breach in an amount to be determined at trial.

**COUNT TWO: QUANTUM MERUIT
(Against VOYA)**

23. Plaintiff incorporates by reference all allegations contained in the foregoing paragraphs of this Complaint as if fully set out herein.

24. This is an action for quantum meruit to recover the reasonable value of the services in connection with Mr. Bailey's services as a broker who sold VOYA annuity products. Mr. Bailey vigorously maintains an enforceable contract exists between him and VOYA. However, this cause of action is alleged in the alternative, assuming *arguendo* no enforceable contract exists between Mr. Bailey and VOYA.

25. At the times relevant to this Complaint, Mr. Bailey performed valuable services for VOYA, including, but not limited to, the following: (1) marketing VOYA annuity products to various clients; and (2) actually selling VOYA annuity products to at least 19 clients.

26. These services provided a benefit knowingly accepted by VOYA.

27. VOYA has refused to pay reasonable value for the benefits it received from Mr. Bailey's services, thus damaging Mr. Bailey in an amount to be determined at trial.

**COUNT THREE: DECLARATORY JUDGMENT
(Against VOYA)**

28. Plaintiff incorporates by reference all allegations contained in the foregoing paragraphs of this Complaint as if fully set out herein.

29. Where a justiciable controversy exists, Ala. Code § 6-6-222 grants courts the "power to declare rights, status, and other legal relations whether or not further relief is or could be claimed."

30. A justiciable controversy exists between Plaintiff and VOYA as to, among other things, whether VOYA is obligated to pay Mr. Bailey trail commissions on each of the 22 annuities described *supra* ¶ 12 until the earlier of the surrender of the annuity or death of the annuitant.

WHEREFORE, Plaintiff hereby demands judgment against Defendant, as follows:

- (a) with respect to the First Count for Breach of Contract, awarding Plaintiff damages in an amount to be determined at trial, plus interest, costs, and any other amounts to which Plaintiff is legally entitled;
- (b) with respect to the Second Count for Quantum Meruit, awarding Plaintiff damages in an amount to be determined at trial, plus interest, costs, and any other amounts to which Plaintiff is legally entitled;
- (c) with respect to the Third Count for Declaratory Judgment, declaring that an enforceable contract exists between Mr. Bailey and VOYA obligating VOYA to pay Mr. Bailey trail commissions on each of the 19 annuities described *supra* ¶ 12 until the earlier of the surrender of the annuity or death of the annuitant; and
- (d) granting Plaintiff such other, further, and different relief as the Court deems just and proper.

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury on all issues so triable.

Respectfully Submitted,

/s/ John C. Guin
Attorney for Plaintiff

Andrew P. Campbell
John C. Guin
CAMPBELL GUIN, LLC
505 20th Street North, Suite 1600
Birmingham, AL 35203
Telephone: (205) 224-0750
andrew.campbell@campbellguin.com
john.guin@campbellguin.com

PLEASE SERVE THE FOLLOWING DEFENDANT(S) BY CERTIFIED MAIL:

VOYA Financial Inc.
c/o RL&F Service Corp.
1 South Rodney Drive
Wilmington, DE 19809

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY,

Plaintiff,

V.

**VOYA FINANCIAL INC. and
FICTITIOUS DEFENDANTS A–Z,
being those persons or entities
currently unknown to Plaintiff who
are responsible for the wrongful
conduct that forms the basis of this
Complaint,**

Defendants.

Case No.

01-CV-2016-904565.00

**PLAINTIFF’S FIRST REQUESTS FOR ADMISSION, INTERROGATORIES, AND
REQUESTS FOR PRODUCTION TO
VOYA FINANCIAL INC.**

Pursuant to Alabama Rules of Civil Procedure 33, 34, and 36, Plaintiff Robert Bailey (“Mr. Bailey”) requests that Defendant VOYA Financial Inc. (“VOYA”) answer the following Requests for Admission, Interrogatories, and Requests for Production (each a “Request,” and collectively the “Requests”), and produce and permit inspection and copying of all the documents described below which are in its possession, custody, or control, including those held by its counsel.

INSTRUCTIONS

- (a) These Requests are considered to be continuing in character. Answers should be modified or supplemented as You obtain further or different information prior to the trial of this case.
- (b) Separate answers should be given to all Requests—they should not be joined together and accorded a common answer.
- (c) Each Request should be restated in full prior to providing an answer thereto.

(d) Where exact information cannot be furnished, estimated information is to be supplied. Where estimated information is used, the discovery response should indicate this fact and an explanation should be given as to the basis of how the estimation was made and the reason exact information was not furnished.

(e) Where knowledge, information, or Documents are requested of You, such requests include knowledge, information or documents in the possession of Your Affiliates, subsidiaries, agents, representatives, and/or attorneys.

(f) Unless the context of the Request requires otherwise, references to the single include the plural and references to gender include both masculine and feminine.

(g) If any Document, Communication, or other requested information of any type whatsoever is withheld on the basis that such information is privileged or confidential, please Identify, with specificity, the Document, Communication or other requested information as well as the basis for asserting said privilege or confidentiality.

(h) Documents responsive to these Requests shall be produced in the condition and order or arrangement in which they existed when these Requests were served.

(i) Upon producing the requested Documents, You shall indicate to which Request each Document produced is responsive.

(j) Unless otherwise specified, the time period applicable to all Requests shall be from January 1, 2004 to the present.

(k) Please produce all Documents pursuant to the following specifications:

- (1) Please produce all documents in .tif format using optical character recognition (“OCR”) with each document constituting a separate .tif file with .DAT load files and electronic Bates labels;
- (2) The .DAT load files are for the loading of metadata and native files, and should include the metadata filed listed in Exhibit A;

- (3) Images should be produced as single-page .tif images in an images directory with the associated Opticon load file;
- (4) Text files produced in a single-page format should also be produced in the images directory. Text files produced as in a multi-page format should be produced in a separate text directory;
- (5) Excel spreadsheet and Power Point slides should be produced in native format with all native files named as the first image of the corresponding image file in a separate Native directory.

DEFINITIONS

As used herein, the following words are defined as follows:

(l) “You” or “Your” or “Defendant” or “VOYA” means Defendant VOYA Financial Inc. and/or its agents, subsidiaries, employees, predecessors, successors and assigns, whether acting directly or through any representative and/or agent, including but not limited to attorneys, accountants, or other agents and including any incorporated or unincorporated businesses.

(m) “Identify” means:

- (1) When used with respect to an individual, to state his full name (as well as any known pseudonyms, aliases, nicknames, and/or prior names), his present or last known addresses (including, without limitation, municipal addresses, post office box addresses, universal resource locators (URLs), instant messaging (IM) accounts, and e-mail addresses), all of his present or last known telephone numbers (including, without limitation, mobile telephone numbers, business telephone numbers, home telephone numbers, facsimile numbers, and pager numbers), his present or last known position and business affiliation, and his position and business affiliation referenced in the Interrogatory or Request;

- (2) When used with respect to a corporation, partnership, business trust, limited liability company, or other business entity or commercial enterprise, to state its full name (as well as any trade names, stock symbols, “d/b/a” names, or other names) and its last known principal business address and registered office address (including without limitation, municipal addresses, post office box addresses, universal resource locators (URLs), instant messaging (IM) accounts, and e-mail addresses), and all telephone numbers (including, without limitation, mobile telephone numbers, business telephone numbers, home telephone numbers, facsimile numbers, and pager numbers), and to identify its principal officers and registered agent for service of process;
- (3) When used with respect to a Document, to state the date of the Document’s preparation, the author, the specific type of Document (e.g., letter, memorandum, e-mail, telex, diary, tape recording, etc.), and the Document’s present or last known location and to identify its last known custodian;
- (4) When used with respect to any type of Communication, to state the dates thereof, to Identify all Persons who participated in such Communications, and the substance of said Communications, and whether the Communications were oral; additionally, to state the place and the approximate time that the Communications took place and to Identify all Persons in whose presence the Communications occurred and all Documents Related To the Communication.

(n) “Document” shall mean any writing or recording (whether printed, typed, photocopied, handwritten, recorded, stored, or produced or reproduced by any mechanical, physical, electronic or other process) or any other compilation of information that is in the

possession, custody, or control of You and Your affiliates, and includes, without limitation, any and all:

- (i) accounts, accountant's and other worksheets, advertisements, advertising circulars, advisories, affidavits, agendas, agreements, appointment books, articles, bank statements, balance sheets, books, brochures, bulletins, calendars, charts, checks, check ledgers, circulars, communications (intra-office, inter-office, external, and other), computer printouts, contracts, correspondence, data sheets, desk-pads, diaries, drafts, drawings, e-mails, forms, flyers, forecasts, graphs, guidelines, handwritten matter, indexes, instructions, invoices, ledgers, letters, lists, logs, magazine clippings, manuals, materials, memoranda, minutes, newspaper clippings, notebooks, notes, note entries, pamphlets, papers, periodicals, posters, post-it notes, projections, prospectuses, receipts, records, reports, rules, signs, statements, studies, summaries, surveys, telecopies, telegrams, telephone messages, text messages, telexes, transcripts, translations, vouchers, and work papers;
- (ii) graphic, video, or audio records or representations or any kind (including, without limitation, photographs, phono records, audio cassettes, audio tapes, compact discs, charts, drawings, graphs, microfiche, microfilm, videotapes, recordings, films, and motion pictures);
- (iii) computerized, electric, electronic, magnetic, mechanical, and optical records or representations of any kind, including, without limitation, data processing cards, tapes, cassettes, discs, recordings, and computer memories, (including, without limitation, .wav files, .mp3 files, .mid files, and .ram files); and

(iv) drafts and final versions, and all originals as well as carbons, photographic or other copies, telecopies, reproductions or facsimiles that differ from originals in any respect (including, but without limitation, differences due to handwritten notes, editing, interlineations, blind copies, omissions, time/date stamps or imprints, or any other alterations).

(o) The unqualified term “Person” is defined as an individual, an individual corporation, limited liability company, partnership, business trust, unincorporated association or business or governmental entity.

(p) “Affiliate” shall mean with respect to any Person, one who controls, is controlled by, or under the common control of another with, that Person.

(q) “Communication” and “Correspondence” are defined as any transmission of information by written, oral, pictorial, or otherwise perceptible means, including, but not limited to, correspondence, telegraphs, cables, telephone conversations, personal conversations, e-mails, facsimiles, “instant messages” (IMs), text messages, and the like.

(r) “Mr. Bailey” shall mean Plaintiff Robert Bailey.

(s) “Complaint” shall mean that certain Complaint filed by Mr. Bailey in the Circuit Court of Jefferson County, Alabama against VOYA and Fictitious Defendants A–Z on December 8, 2016.

REQUESTS FOR ADMISSION

1. Please admit You do business by agent in Jefferson County, Alabama.
2. Please admit that Mr. Bailey sold the following VOYA annuities: Policy #s C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X.

3. Please admit that at least one of Your agents, employees, officers, and/or representatives represented to Mr. Bailey that You would pay trail commissions of 0.25% for the first seven years after the start of a sold VOYA annuity, and 1% thereafter.

4. Please admit You have entered into at least one contract regarding a VOYA annuity whereby You agreed to pay the brokerage firm through which the annuity was sold a trail commission of 0.25% for the first seven years after the start of the annuity, and 1% thereafter.

INTERROGATORIES

1. Please Identify (as that term is defined above in ¶(m)) the Person(s) that You consulted with regarding Your answers to Mr. Bailey's discovery requests in this lawsuit.

2. Please Identify¹ (as that term is defined above in ¶(m)) the Persons likely to have discoverable information that You may use to support Your claims or defenses in this lawsuit (unless the use would be solely for impeachments). In Your identification, also state whether each Person is, or has been, employed at VOYA, the position(s) each Person has held at VOYA (if any), and include a brief description of the subject matter of the discoverable information each identified Person is likely to have.

3. Please Identify (as that term is defined above in ¶(m)) each Person whom You expect to testify as an expert witness, whether at trial, in support of or in opposition to any motion, or as part of any other proceeding or matter in this action. For each Person so identified, please include the following: (1) the opinions the expert will express and the basis for them; (2) the facts and/or data considered by the expert in forming his opinions; (3) a list of exhibits the expert will use to summarize or support his opinions; (4) the expert's qualifications, including a list of all publications the expert has authored in the previous ten years; (5) a list of all other case in which,

¹ Unless otherwise noted, all capitalized terms used herein have the definitions ascribed to them in the "Definitions" section of this document. Specific references to definitions, such as this one, are meant only for additional emphasis that You should read the "Definitions" section before answering these Requests.

during the previous four years, the expert testified as an expert at trial or by deposition; and (6) a statement of the compensation to be paid to the expert in this case.

4. Please Identify (as that term is defined above in ¶ (m)) Your agents, employees, officers, and representatives who visited Legg Mason's Birmingham, AL office at any time between January 1, 2004 and December 31, 2005 to market and/or discuss Your annuity products. In Your identification, also state whether each Person is, or has been, employed at VOYA and the position(s) each Person has held at VOYA (if any).

5. Please Identify (as that term is defined above in ¶(m)) the Person(s) who served as Your relationship manager with Morgan Stanley at any time between January 1, 2008 and December 31, 2015. In Your identification, also state whether each Person is, or has been, employed at VOYA and the position(s) each Person has held at VOYA (if any).

6. If you contend that no VOYA agent, employee, officer, or representative ever told Mr. Bailey that You would pay trail commissions of 0.25% for the first seven years after the start of a sold VOYA annuity, and 1% thereafter, please state the principal and/or material facts upon which you base that contention.

7. Please state the amount of trail commissions You have paid out regarding each of the following VOYA annuities: Policy #s C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X. In Your statement, please include an itemized list of the trail commission payments You have made regarding each of the above-listed policies.

8. Please explain the process You use in determining the timing and amount of trail commissions to be paid regarding a sold VOYA annuity.

9. Please state whether You have been properly named in the style of the Complaint and, if not, please state Your proper and legal name.

10. If you contend a written contract governs Your obligation to pay the trail commissions in dispute, please Identify (as that term is defined above in ¶ (m)) that written contract and provide a description of its material terms (e.g., the percentage of the trail commissions, etc.).

REQUESTS FOR PRODUCTION

1. Please produce all Documents (as that term is defined in ¶ (n) above) reflecting any agreement You made relating to the payment of trail commissions for the following VOYA annuities: Policy #s C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X.

2. Please produce all Documents (as that term is defined in ¶ (n) above) reflecting the amounts of trail commission You have paid regarding the following VOYA annuities: Policy #s C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X.

3. Please produce the following VOYA annuities: Policy #s C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X.

4. Please produce all Communications (as that term is defined above in ¶(q)) that mention, pertain, or relate to trail commissions on the following VOYA annuities: Policy #s

C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X.

5. Please produce all Communications (as that term is defined above in ¶(q)) that mention, pertain, or relate to Mr. Bailey.

6. Please produce all Documents (as that term is defined in ¶(n) above) that mention, pertain, or relate to Mr. Bailey.

Respectfully Submitted,

/s/ John C. Guin
Attorney for Plaintiffs

OF COUNSEL:

Andrew P. Campbell
John C. Guin
CAMPBELL GUIN, LLC
505 20th Street North, Suite 1600
Birmingham, AL 35203
Telephone: (205) 224-0750
andy.campbell@campbellguin.com
john.guin@campbellguin.com

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of December, 2016, I have served a copy of the foregoing via Certified U.S. Mail postage prepaid and properly addressed to the following:

VOYA Financial Inc.
c/o RL&F Service Corp.
1 South Rodney Drive
Wilmington, DE 19809

/s/ John C. Guin



IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY,)	
)	
Plaintiff,)	Case No.
)	01-CV-2016-904565.00
v.)	
)	
VOYA FINANCIAL INC. and)	
FICTITIOUS DEFENDANTS A–Z,)	
being those persons or entities)	
currently unknown to Plaintiff who)	
are responsible for the wrongful)	
conduct that forms the basis of this)	
Complaint,)	
)	
Defendants.)	

PLAINTIFF’S NOTICE OF SERVICE OF DISCOVERY

TO: CIRCUIT CLERK

Please take notice that the following discovery documents were served on behalf of Plaintiff on December 22, 2016:

(X) Plaintiff’s First Requests for Admission, Interrogatories and Requests for Production

Respectfully Submitted,

/s/ John C. Guin
 Attorney for Plaintiffs

OF COUNSEL:

Andrew P. Campbell
 John C. Guin
 CAMPBELL GUIN, LLC
 505 20th Street North, Suite 1600
 Birmingham, AL 35203
 Telephone: (205) 224-0750
andy.campbell@campbellguin.com
john.guin@campbellguin.com

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of December, 2016, I have served a copy of the foregoing via Certified U.S. Mail postage prepaid and properly addressed to the following:

VOYA Financial Inc.
c/o RL&F Service Corp.
1 South Rodney Drive
Wilmington, DE 19809

/s/ John C. Guin



AlaFile E-Notice

01-CV-2016-904565.00

To: JOHN CALDWELL GUIN
john.guin@campbellguin.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following alias summons was FILED on 1/13/2017 11:10:19 AM

Notice Date: 1/13/2017 11:10:19 AM

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov



AlaFile E-Notice

01-CV-2016-904565.00

To: VOYA FINANCIAL INC.
RL&F SERVICE CORP.
920 N. KING ST., FLOOR 2
WILMINGTON, DE, 19801

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following alias summons was FILED on 1/13/2017 11:10:19 AM

Notice Date: 1/13/2017 11:10:19 AM

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov

State of Alabama Unified Judicial System Form C-34 Rev 6/88	SUMMONS - CIVIL -	Case Number: 01-CV-2016-904565.00
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IN THE CIRCUIT COURT OF JEFFERSON COUNTY
 ROBERT BAILEY V. VOYA FINANCIAL INC.

VOYA FINANCIAL INC., RL&F SERVICE CORP. 920 N. KING ST., FLOOR 2, WILMINGTON, DE 19801

NOTICE TO _____

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE OPPOSING PARTY'S ATTORNEY JOHN CALDWELL GUIN

WHOSE ADDRESS IS 505 20th St., N, 16th Floor, BIRMINGHAM, AL 35203

THE ANSWER MUST BE MAILED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.

TO ANY SHERIFF OR ANY PERSONNEL AUTHORIZED by the Alabama Rules of the Civil Procedure:

☐ You are hereby commanded to serve this summons and a copy of the complaint in this action upon the defendant

☒ Service by certified mail of this summons is initiated upon the written request of BAILEY ROBERT

pursuant to the Alabama Rules of the Civil Procedure

Date 1/13/2017 11:10:19 AM /s/ ANNE-MARIE ADAMS

Clerk/Register

JEFFERSON COUNTY, ALABAMA

716 N. RICHARD ARRINGTON BLVD.

BIRMINGHAM, AL 35203

☒ Certified Mail is hereby requested /s/ JOHN CALDWELL GUIN

Plaintiff's/Attorney's Signature

RETURN ON SERVICE:

☐ Return receipt of certified mail received in this office on _____

☐ I certify that I personally delivered a copy of the Summons and Complaint to _____

_____ in _____ County, Alabama on _____ (Date)

Date _____	Server's Signature _____	Address of Server _____
Type of Server _____	Server's Printed Name _____	_____
		Phone Number of Server _____

JAN 17 2017



NOTICE TO CLERK

REQUIREMENTS FOR COMPLETING SERVICE BY
CERTIFIED MAIL OR FIRST CLASS MAIL

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
ROBERT BAILEY V. VOYA FINANCIAL INC.

01-CV-2016-904565.00

To: CLERK BIRMINGHAM
clerk.birmingham@alacourt.gov

TOTAL POSTAGE PAID: \$7.78

Parties to be served by Certified Mail - Return Receipt Requested

VOYA FINANCIAL INC.
RL&F SERVICE CORP.
920 N. KING ST., FLOOR 2
WILMINGTON, DE 19801

Postage: \$7.78

ALZAS DUBO
7015 0640 0004 4819 5699

Parties to be served by Certified Mail

Parties to be served by First Class Mail

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
Certified Mail Fee \$ _____	Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ _____ <input type="checkbox"/> Return Receipt (electronic) \$ _____ <input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____
Postage \$7.78	Total Postage \$7.78
Sent To VOYA FINANCIAL INC. RL&F SERVICE CORP. 920 N. KING ST., FLOOR 2 WILMINGTON, DE 19801	City, State, ZIP WILMINGTON, DE 19801
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

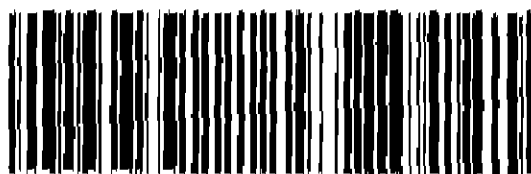
JAN 17 2017
Postmark
Here

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

VOYA FINANCIAL INC.
RL&F SERVICE CORP.
920 N. KING ST., FLOOR 2
WILMINGTON, DE 19801



9590 9401 0030 5168 5388 15

2. Article Number (Transfer from service label)

7015 0640 0004 4819 5699

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from Item 1? ☐ YesIf YES, enter delivery address below: ☐ No

ALFAS

DODI

CV-2016-904565 ASAC

3. Service Type

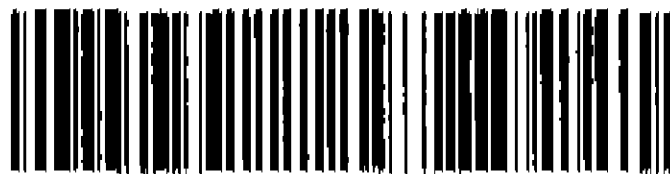
☐ Adult Signature☐ Adult Signature Restricted Delivery☒ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Insured Mail☐ Insured Mail Restricted Delivery (over \$500)☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☒ Return Receipt for Merchandise☐ Signature Confirmation™☐ Signature Confirmation Restricted Delivery

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

VOYA FINANCIAL INC.
RL&F SERVICE CORP.
920 N. KING ST., FLOOR 2
WILMINGTON, DE 19801



9590 9401 0030 5168 5388 15

2. Article Number (Transfer from service label)

7015 0640 0004 4819 5699

COMPLETE THIS SECTION ON DELIVERY

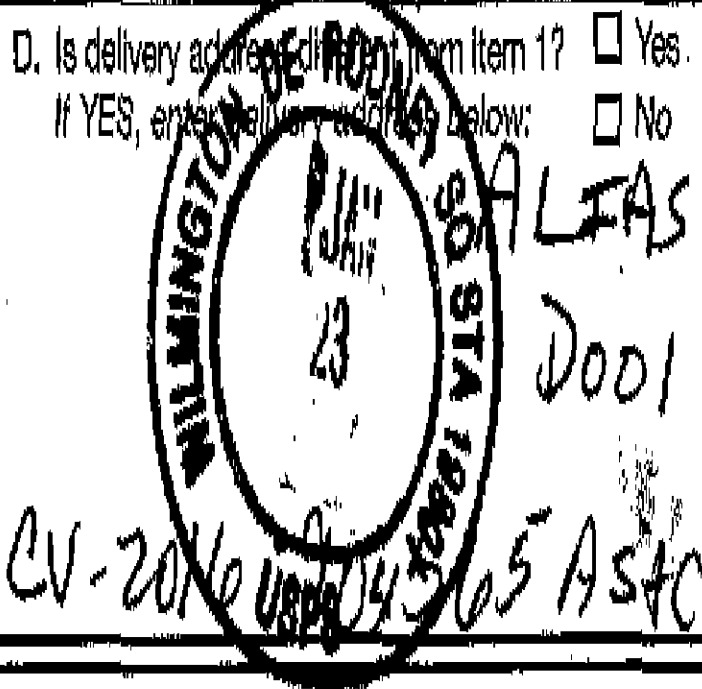
A. Signature

X *Sam Dressler*☐ Agent☐ Addressee

B. Received by (Printed Name)

Sam Dressler

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®

☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☐ Certified Mail Restricted Delivery☒ Return Receipt for Merchandise☐ Collect on Delivery☐ Signature Confirmation™☐ Collect on Delivery Restricted Delivery☐ Signature Confirmation Restricted Delivery☐ Insured Mail☐ Insured Mail Restricted Delivery (over \$500)

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box•

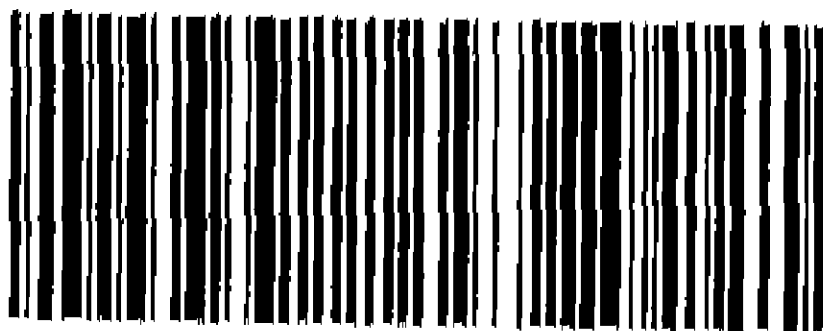
ANNE-MARIE ADAMS, CLERK
JEFFERSON COUNTY CIRCUIT COURT
CIVIL DIVISION - ROOM 400
716 NO. RICHARD ARINGTON BLVD
BIRMINGHAM, ALABAMA 35203

FILED IN OFFICE
CIRCUIT CIVIL DIVISION

JAN 27 2017

ANNE-MARIE ADAMS
CLERK

USPS TRACKING#



9590 9401 0030 5168 5388 15



AlaFile E-Notice

01-CV-2016-904565.00

Judge: JAVAN J. PATTON

To: GUIN JOHN CALDWELL
john.guin@campbellguin.com

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following matter was served on 1/23/2017

D001 VOYA FINANCIAL INC.**Corresponding To**

CERTIFIED MAIL

ALIAS S/C

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov



AlaFile E-Notice

01-CV-2016-904565.00

Judge: JAVAN J. PATTON

To: CAMPBELL ANDREW PHILLIP
andy.campbell@campbellguin.com

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following matter was served on 1/23/2017

D001 VOYA FINANCIAL INC.**Corresponding To**

CERTIFIED MAIL

ALIAS S/C

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov

RL&F
Service Corp.

920 North King Street, 2nd Floor

Wilmington, DE 19801

Phone 302-651-7642

Conni Norton
Administrator
norton@rlf.com
302.651.7709

January 23, 2017

**FILED IN OFFICE
CIRCUIT CIVIL DIVISION**

JAN 26 2017

**ANNE-MARIE ADAMS
CLERK**

Anne-Marie Adams, Clerk
Circuit Court of Jefferson County
Civil Division - Room 400
716 Richard Arrington Jr. Blvd. North
Birmingham, Alabama 35203

Re: **Voya Financial Inc.**

VIA CERTIFIED MAIL - 7013 2630 0002 2550 8529

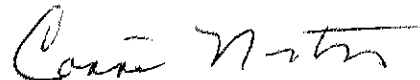
Anne Marie Adams, Clerk

I am returning herewith the envelope we received for the above-mentioned entity. Please be advised that RL&F Service Corp. is not the Delaware registered agent for this entity. We can not forward this, as The Corporation Trust Company, who is the registered agent, will not accept this from us. Below is their address:

Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

Thank you.

Very truly yours,



Conni Norton
Administrator

/cln
Encl.

3053881

CV 14-904545
to
Vega Terminal the
2001



ANNE-MARIE ADAMS, CLERK
 CIRCUIT COURT OF JEFFERSON COUNTY
 CIVIL DIVISION - ROOM 400
 716 RICHARD ARRINGTON JR. BLVD NORTH
 BIRMINGHAM, ALABAMA 35203



2015 0640 0004 4819 5699

RETURN TO SENDER -

NO LONGER AT THIS ADDRESS

TO: VOYA FINANCIAL INC.
 RL&F SERVICE CORP.
 920 N. KING ST., FLOOR 2
 WILMINGTON, DE, 19801

4.78

8



AlaFile E-Notice

01-CV-2016-904565.00

Judge: JAVAN J. PATTON

To: GUIN JOHN CALDWELL
john.guin@campbellguin.com

NOTICE OF NO SERVICE

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following matter was not served on 1/26/2017

D001 VOYA FINANCIAL INC.**Corresponding To**

OTHER

NO LONGER AT THIS ADDRESS

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov



AlaFile E-Notice

01-CV-2016-904565.00

Judge: JAVAN J. PATTON

To: CAMPBELL ANDREW PHILLIP
andy.campbell@campbellguin.com

NOTICE OF NO SERVICE

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following matter was not served on 1/26/2017

D001 VOYA FINANCIAL INC.**Corresponding To**

OTHER

NO LONGER AT THIS ADDRESS

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov



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01-CV-2016-904565.00
CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
ANNE-MARIE ADAMS, CLERK

01-CV-2016-904565.00

To: JOHN CALDWELL GUIN
john.guin@campbellguin.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following complaint was FILED on 12/8/2016 2:34:17 PM

Notice Date: 12/8/2016 2:34:17 PM

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
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State of Alabama Unified Judicial System Form ARCiv-93 Rev.5/99	COVER SHEET CIRCUIT COURT - CIVIL CASE (Not For Domestic Relations Cases)	Case: 01 Date of Filing: 12/08/2016 Judge Code: 01-CV-2010-904503.00 CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA ANNE-MARIE ADAMS, CLERK
GENERAL INFORMATION		
IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA ROBERT BAILEY v. VOYA FINANCIAL INC.		
First Plaintiff: <input type="checkbox"/> Business <input checked="" type="checkbox"/> Individual <input type="checkbox"/> Government <input type="checkbox"/> Other		
First Defendant: <input checked="" type="checkbox"/> Business <input type="checkbox"/> Individual <input type="checkbox"/> Government <input type="checkbox"/> Other		
NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:		
TORTS: PERSONAL INJURY <input type="checkbox"/> WDEA - Wrongful Death <input type="checkbox"/> TONG - Negligence: General <input type="checkbox"/> TOMV - Negligence: Motor Vehicle <input type="checkbox"/> TOWA - Wantonness <input type="checkbox"/> TOPL - Product Liability/AEMLD <input type="checkbox"/> TOMM - Malpractice-Medical <input type="checkbox"/> TOLM - Malpractice-Legal <input type="checkbox"/> TOOM - Malpractice-Other <input type="checkbox"/> TBFM - Fraud/Bad Faith/Misrepresentation <input type="checkbox"/> TOXX - Other: _____	OTHER CIVIL FILINGS (cont'd) <input type="checkbox"/> MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/ Enforcement of Agency Subpoena/Petition to Preserve <input type="checkbox"/> CVRT - Civil Rights <input type="checkbox"/> COND - Condemnation/Eminent Domain/Right-of-Way <input type="checkbox"/> CTMP - Contempt of Court <input type="checkbox"/> CONT - Contract/Ejectment/Writ of Seizure <input type="checkbox"/> TOCN - Conversion <input type="checkbox"/> EQND - Equity Non-Damages Actions/Declaratory Judgment/ Injunction Election Contest/Quiet Title/Sale For Division <input type="checkbox"/> CVUD - Eviction Appeal/Unlawful Detainer <input type="checkbox"/> FORJ - Foreign Judgment <input type="checkbox"/> FORF - Fruits of Crime Forfeiture <input type="checkbox"/> MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition <input type="checkbox"/> PFAB - Protection From Abuse <input type="checkbox"/> FELA - Railroad/Seaman (FELA) <input type="checkbox"/> RPRO - Real Property <input type="checkbox"/> WTEG - Will/Trust/Estate/Guardianship/Conservatorship <input type="checkbox"/> COMP - Workers' Compensation <input checked="" type="checkbox"/> CVXX - Miscellaneous Circuit Civil Case	
TORTS: PERSONAL INJURY <input type="checkbox"/> TOPE - Personal Property <input type="checkbox"/> TORE - Real Property	OTHER CIVIL FILINGS <input type="checkbox"/> ABAN - Abandoned Automobile <input type="checkbox"/> ACCT - Account & Nonmortgage <input type="checkbox"/> APAA - Administrative Agency Appeal <input type="checkbox"/> ADPA - Administrative Procedure Act <input type="checkbox"/> ANPS - Adults in Need of Protective Service	
ORIGIN: F <input checked="" type="checkbox"/> INITIAL FILING A <input type="checkbox"/> APPEAL FROM DISTRICT COURT O <input type="checkbox"/> OTHER R <input type="checkbox"/> REMANDED T <input type="checkbox"/> TRANSFERRED FROM OTHER CIRCUIT COURT		
HAS JURY TRIAL BEEN DEMANDED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P, for procedure)		
RELIEF REQUESTED: <input checked="" type="checkbox"/> MONETARY AWARD REQUESTED <input type="checkbox"/> NO MONETARY AWARD REQUESTED		
ATTORNEY CODE: GUI023 12/8/2016 2:33:56 PM /s/ JOHN CALDWELL GUIN Date Signature of Attorney/Party filing this form		
MEDIATION REQUESTED: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNDECIDED		



IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY,

Plaintiff,

v.

**VOYA FINANCIAL INC. and
FICTITIOUS DEFENDANTS A–Z,
being those persons or entities
currently unknown to Plaintiff who
are responsible for the wrongful
conduct that forms the basis of this
Complaint,**

Defendants.

Case No.

COMPLAINT

COMES NOW Plaintiff Robert Bailey (“Mr. Bailey” or “Plaintiff”) and brings the following Complaint against Defendants VOYA Financial Inc. (“VOYA”) and Fictitious Defendants A–Z. In support of this Complaint, Plaintiff states as follows:

THE PARTIES

1. Plaintiff Mr. Bailey is an adult individual and Alabama citizen. He is currently employed by Morgan Stanley, and works at its Birmingham office in Jefferson County, Alabama. At all times relevant to this Complaint, Mr. Bailey worked at offices located within Jefferson County, Alabama.

2. Upon information and belief, Defendant VOYA is an insurance company that is incorporated in Delaware, has its principal place of business in New York, and does business by

agent in Jefferson County, Alabama. VOYA is the successor company to ING U.S., Inc. (“ING”), with the change occurring around April 7, 2014.¹

3. Fictitious Defendants A–Z are those persons or entities currently unknown to Plaintiff who are responsible for the wrongful conduct that forms the basis of this Complaint.

JURISDICTION AND VENUE

4. The amount in controversy exceeds \$10,000, giving this Court jurisdiction over this matter.

5. Venue is proper in this Court under Ala. Code § 6-3-7(a)(1) because a substantial part of the events or omissions giving rise to the claims alleged herein occurred in Jefferson County, Alabama. For example, VOYA made the promises that form the basis of the Commission Contract in Jefferson County. *See infra* ¶¶ 9–11. Further, Mr. Bailey performed his duties under the Commission Contract in Jefferson County. *See infra* ¶¶ 12–13. In the alternative, venue is appropriate under Ala. Code § 6-3-7(a)(4) because VOYA does business by agent in Jefferson County.

FACTUAL ALLEGATIONS

6. Mr. Bailey is a licensed insurance broker, meaning, among other things, he can market and sell insurance products provided by a number of different insurance companies.

7. Accordingly, insurance companies market their products to Mr. Bailey so that he can, in turn, market and sell those products to consumers.

8. Mr. Bailey has worked for a variety of insurance brokerages located within Jefferson County, Alabama.

¹ During most of the times relevant to the Complaint, Mr. Bailey was dealing with ING. Thus, for the sake of simplicity, all references herein to VOYA also include a reference to ING where the context so requires.

9. Around September of 2002, Mr. Bailey began employment at Legg Mason's office in downtown Birmingham, Alabama.

10. Years later, around 2004, a representative of VOYA visited Mr. Bailey at Legg Mason's Jefferson County office to market VOYA annuity products.

11. During this meeting, the representative promised, on behalf of VOYA, that if Mr. Bailey sold VOYA annuities, he would receive a 0.25% trail commission for the first seven years after the start of the annuity, and 1% thereafter (this agreement is hereinafter referred to as the "Commission Contract"). Mr. Bailey would receive these trail commissions until the earlier of the surrender of the annuity or death of the annuitant.

12. Subsequently, Mr. Bailey sold at least 22 VOYA annuities: Policy #s C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X.

13. Mr. Bailey sold all of the aforementioned annuity products either through telephone calls he made from his office in Jefferson County or through in-person meetings that occurred at his office in Jefferson County.

14. Although Mr. Bailey performed his duties under the Commission Contract, VOYA has not paid Mr. Bailey the full portion of his promised trail commissions. More specifically, Mr. Bailey has not received any trail commissions on some policies, while on others he has received less than the promised amount.

15. In early 2009—then employed at Morgan Stanley's Birmingham office—Mr. Bailey met with a VOYA representative to discuss client benefits. During this meeting, the

representative also assured Mr. Bailey that he would be paid the trail commissions promised earlier; that is, 0.25% for the first seven years after the start of the annuity, and 1% thereafter.

16. Despite the representative's admission, however, VOYA refuses to pay Mr. Bailey his promised trail commissions.

CAUSES OF ACTION

COUNT ONE: BREACH OF CONTRACT (Against VOYA)

17. Plaintiff incorporates by reference all allegations contained in the foregoing paragraphs of this Complaint as if fully set out herein.

18. Mr. Bailey and VOYA entered into a contract whereby, if Mr. Bailey sold certain annuity products, VOYA would pay Mr. Bailey a 0.25% trail commission for the first seven years after the start of the annuity, and 1% thereafter (the "Commission Contract").

19. Mr. Bailey performed his duties under the Commission Contract by, among other things, selling at least 22 VOYA annuities.

20. Consequently, VOYA became contractually obligated to pay to Mr. Bailey a trail commission of 0.25% trail commission for the first seven years after the start of each of the 22 aforementioned annuities, and 1% thereafter.

21. VOYA breached the Commission Contract by refusing to pay Mr. Bailey the full portion of these trail commissions.

22. Mr. Bailey has been damaged as a direct and foreseeable result of this breach in an amount to be determined at trial.

**COUNT TWO: QUANTUM MERUIT
(Against VOYA)**

23. Plaintiff incorporates by reference all allegations contained in the foregoing paragraphs of this Complaint as if fully set out herein.

24. This is an action for quantum meruit to recover the reasonable value of the services in connection with Mr. Bailey's services as a broker who sold VOYA annuity products. Mr. Bailey vigorously maintains an enforceable contract exists between him and VOYA. However, this cause of action is alleged in the alternative, assuming *arguendo* no enforceable contract exists between Mr. Bailey and VOYA.

25. At the times relevant to this Complaint, Mr. Bailey performed valuable services for VOYA, including, but not limited to, the following: (1) marketing VOYA annuity products to various clients; and (2) actually selling VOYA annuity products to at least 19 clients.

26. These services provided a benefit knowingly accepted by VOYA.

27. VOYA has refused to pay reasonable value for the benefits it received from Mr. Bailey's services, thus damaging Mr. Bailey in an amount to be determined at trial.

**COUNT THREE: DECLARATORY JUDGMENT
(Against VOYA)**

28. Plaintiff incorporates by reference all allegations contained in the foregoing paragraphs of this Complaint as if fully set out herein.

29. Where a justiciable controversy exists, Ala. Code § 6-6-222 grants courts the "power to declare rights, status, and other legal relations whether or not further relief is or could be claimed."

30. A justiciable controversy exists between Plaintiff and VOYA as to, among other things, whether VOYA is obligated to pay Mr. Bailey trail commissions on each of the 22 annuities described *supra* ¶ 12 until the earlier of the surrender of the annuity or death of the annuitant.

WHEREFORE, Plaintiff hereby demands judgment against Defendant, as follows:

- (a) with respect to the First Count for Breach of Contract, awarding Plaintiff damages in an amount to be determined at trial, plus interest, costs, and any other amounts to which Plaintiff is legally entitled;
- (b) with respect to the Second Count for Quantum Meruit, awarding Plaintiff damages in an amount to be determined at trial, plus interest, costs, and any other amounts to which Plaintiff is legally entitled;
- (c) with respect to the Third Count for Declaratory Judgment, declaring that an enforceable contract exists between Mr. Bailey and VOYA obligating VOYA to pay Mr. Bailey trail commissions on each of the 19 annuities described *supra* ¶ 12 until the earlier of the surrender of the annuity or death of the annuitant; and
- (d) granting Plaintiff such other, further, and different relief as the Court deems just and proper.

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury on all issues so triable.

Respectfully Submitted,

/s/ John C. Guin
Attorney for Plaintiff

Andrew P. Campbell
John C. Guin
CAMPBELL GUIN, LLC
505 20th Street North, Suite 1600
Birmingham, AL 35203
Telephone: (205) 224-0750
andrew.campbell@campbellguin.com
john.guin@campbellguin.com

PLEASE SERVE THE FOLLOWING DEFENDANT(S) BY CERTIFIED MAIL:

VOYA Financial Inc.
c/o RL&F Service Corp.
1 South Rodney Drive
Wilmington, DE 19809



IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY,)	
)	
Plaintiff,)	Case No.
)	01-CV-2016-904565.00
v.)	
)	
VOYA FINANCIAL INC. and)	
FICTITIOUS DEFENDANTS A–Z,)	
being those persons or entities)	
currently unknown to Plaintiff who)	
are responsible for the wrongful)	
conduct that forms the basis of this)	
Complaint,)	
)	
Defendants.)	

**PLAINTIFF’S FIRST REQUESTS FOR ADMISSION, INTERROGATORIES, AND
REQUESTS FOR PRODUCTION TO
VOYA FINANCIAL INC.**

Pursuant to Alabama Rules of Civil Procedure 33, 34, and 36, Plaintiff Robert Bailey (“Mr. Bailey”) requests that Defendant VOYA Financial Inc. (“VOYA”) answer the following Requests for Admission, Interrogatories, and Requests for Production (each a “Request,” and collectively the “Requests”), and produce and permit inspection and copying of all the documents described below which are in its possession, custody, or control, including those held by its counsel.

INSTRUCTIONS

- (a) These Requests are considered to be continuing in character. Answers should be modified or supplemented as You obtain further or different information prior to the trial of this case.
- (b) Separate answers should be given to all Requests—they should not be joined together and accorded a common answer.
- (c) Each Request should be restated in full prior to providing an answer thereto.

(d) Where exact information cannot be furnished, estimated information is to be supplied. Where estimated information is used, the discovery response should indicate this fact and an explanation should be given as to the basis of how the estimation was made and the reason exact information was not furnished.

(e) Where knowledge, information, or Documents are requested of You, such requests include knowledge, information or documents in the possession of Your Affiliates, subsidiaries, agents, representatives, and/or attorneys.

(f) Unless the context of the Request requires otherwise, references to the single include the plural and references to gender include both masculine and feminine.

(g) If any Document, Communication, or other requested information of any type whatsoever is withheld on the basis that such information is privileged or confidential, please Identify, with specificity, the Document, Communication or other requested information as well as the basis for asserting said privilege or confidentiality.

(h) Documents responsive to these Requests shall be produced in the condition and order or arrangement in which they existed when these Requests were served.

(i) Upon producing the requested Documents, You shall indicate to which Request each Document produced is responsive.

(j) Unless otherwise specified, the time period applicable to all Requests shall be from January 1, 2004 to the present.

(k) Please produce all Documents pursuant to the following specifications:

- (1) Please produce all documents in .tif format using optical character recognition (“OCR”) with each document constituting a separate .tif file with .DAT load files and electronic Bates labels;
- (2) The .DAT load files are for the loading of metadata and native files, and should include the metadata filed listed in Exhibit A;

- (3) Images should be produced as single-page .tif images in an images directory with the associated Opticon load file;
- (4) Text files produced in a single-page format should also be produced in the images directory. Text files produced as in a multi-page format should be produced in a separate text directory;
- (5) Excel spreadsheet and Power Point slides should be produced in native format with all native files named as the first image of the corresponding image file in a separate Native directory.

DEFINITIONS

As used herein, the following words are defined as follows:

(l) “You” or “Your” or “Defendant” or “VOYA” means Defendant VOYA Financial Inc. and/or its agents, subsidiaries, employees, predecessors, successors and assigns, whether acting directly or through any representative and/or agent, including but not limited to attorneys, accountants, or other agents and including any incorporated or unincorporated businesses.

(m) “Identify” means:

- (1) When used with respect to an individual, to state his full name (as well as any known pseudonyms, aliases, nicknames, and/or prior names), his present or last known addresses (including, without limitation, municipal addresses, post office box addresses, universal resource locators (URLs), instant messaging (IM) accounts, and e-mail addresses), all of his present or last known telephone numbers (including, without limitation, mobile telephone numbers, business telephone numbers, home telephone numbers, facsimile numbers, and pager numbers), his present or last known position and business affiliation, and his position and business affiliation referenced in the Interrogatory or Request;

- (2) When used with respect to a corporation, partnership, business trust, limited liability company, or other business entity or commercial enterprise, to state its full name (as well as any trade names, stock symbols, “d/b/a” names, or other names) and its last known principal business address and registered office address (including without limitation, municipal addresses, post office box addresses, universal resource locators (URLs), instant messaging (IM) accounts, and e-mail addresses), and all telephone numbers (including, without limitation, mobile telephone numbers, business telephone numbers, home telephone numbers, facsimile numbers, and pager numbers), and to identify its principal officers and registered agent for service of process;
- (3) When used with respect to a Document, to state the date of the Document’s preparation, the author, the specific type of Document (e.g., letter, memorandum, e-mail, telex, diary, tape recording, etc.), and the Document’s present or last known location and to identify its last known custodian;
- (4) When used with respect to any type of Communication, to state the dates thereof, to Identify all Persons who participated in such Communications, and the substance of said Communications, and whether the Communications were oral; additionally, to state the place and the approximate time that the Communications took place and to Identify all Persons in whose presence the Communications occurred and all Documents Related To the Communication.

(n) “Document” shall mean any writing or recording (whether printed, typed, photocopied, handwritten, recorded, stored, or produced or reproduced by any mechanical, physical, electronic or other process) or any other compilation of information that is in the

possession, custody, or control of You and Your affiliates, and includes, without limitation, any and all:

- (i) accounts, accountant's and other worksheets, advertisements, advertising circulars, advisories, affidavits, agendas, agreements, appointment books, articles, bank statements, balance sheets, books, brochures, bulletins, calendars, charts, checks, check ledgers, circulars, communications (intra-office, inter-office, external, and other), computer printouts, contracts, correspondence, data sheets, desk-pads, diaries, drafts, drawings, e-mails, forms, flyers, forecasts, graphs, guidelines, handwritten matter, indexes, instructions, invoices, ledgers, letters, lists, logs, magazine clippings, manuals, materials, memoranda, minutes, newspaper clippings, notebooks, notes, note entries, pamphlets, papers, periodicals, posters, post-it notes, projections, prospectuses, receipts, records, reports, rules, signs, statements, studies, summaries, surveys, telecopies, telegrams, telephone messages, text messages, telexes, transcripts, translations, vouchers, and work papers;
- (ii) graphic, video, or audio records or representations or any kind (including, without limitation, photographs, phono records, audio cassettes, audio tapes, compact discs, charts, drawings, graphs, microfiche, microfilm, videotapes, recordings, films, and motion pictures);
- (iii) computerized, electric, electronic, magnetic, mechanical, and optical records or representations of any kind, including, without limitation, data processing cards, tapes, cassettes, discs, recordings, and computer memories, (including, without limitation, .wav files, .mp3 files, .mid files, and .ram files); and

(iv) drafts and final versions, and all originals as well as carbons, photographic or other copies, telecopies, reproductions or facsimiles that differ from originals in any respect (including, but without limitation, differences due to handwritten notes, editing, interlineations, blind copies, omissions, time/date stamps or imprints, or any other alterations).

(o) The unqualified term “Person” is defined as an individual, an individual corporation, limited liability company, partnership, business trust, unincorporated association or business or governmental entity.

(p) “Affiliate” shall mean with respect to any Person, one who controls, is controlled by, or under the common control of another with, that Person.

(q) “Communication” and “Correspondence” are defined as any transmission of information by written, oral, pictorial, or otherwise perceptible means, including, but not limited to, correspondence, telegraphs, cables, telephone conversations, personal conversations, e-mails, facsimiles, “instant messages” (IMs), text messages, and the like.

(r) “Mr. Bailey” shall mean Plaintiff Robert Bailey.

(s) “Complaint” shall mean that certain Complaint filed by Mr. Bailey in the Circuit Court of Jefferson County, Alabama against VOYA and Fictitious Defendants A–Z on December 8, 2016.

REQUESTS FOR ADMISSION

1. Please admit You do business by agent in Jefferson County, Alabama.
2. Please admit that Mr. Bailey sold the following VOYA annuities: Policy #s C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X.

3. Please admit that at least one of Your agents, employees, officers, and/or representatives represented to Mr. Bailey that You would pay trail commissions of 0.25% for the first seven years after the start of a sold VOYA annuity, and 1% thereafter.

4. Please admit You have entered into at least one contract regarding a VOYA annuity whereby You agreed to pay the brokerage firm through which the annuity was sold a trail commission of 0.25% for the first seven years after the start of the annuity, and 1% thereafter.

INTERROGATORIES

1. Please Identify (as that term is defined above in ¶(m)) the Person(s) that You consulted with regarding Your answers to Mr. Bailey's discovery requests in this lawsuit.

2. Please Identify¹ (as that term is defined above in ¶(m)) the Persons likely to have discoverable information that You may use to support Your claims or defenses in this lawsuit (unless the use would be solely for impeachments). In Your identification, also state whether each Person is, or has been, employed at VOYA, the position(s) each Person has held at VOYA (if any), and include a brief description of the subject matter of the discoverable information each identified Person is likely to have.

3. Please Identify (as that term is defined above in ¶(m)) each Person whom You expect to testify as an expert witness, whether at trial, in support of or in opposition to any motion, or as part of any other proceeding or matter in this action. For each Person so identified, please include the following: (1) the opinions the expert will express and the basis for them; (2) the facts and/or data considered by the expert in forming his opinions; (3) a list of exhibits the expert will use to summarize or support his opinions; (4) the expert's qualifications, including a list of all publications the expert has authored in the previous ten years; (5) a list of all other case in which,

¹ Unless otherwise noted, all capitalized terms used herein have the definitions ascribed to them in the "Definitions" section of this document. Specific references to definitions, such as this one, are meant only for additional emphasis that You should read the "Definitions" section before answering these Requests.

during the previous four years, the expert testified as an expert at trial or by deposition; and (6) a statement of the compensation to be paid to the expert in this case.

4. Please Identify (as that term is defined above in ¶ (m)) Your agents, employees, officers, and representatives who visited Legg Mason's Birmingham, AL office at any time between January 1, 2004 and December 31, 2005 to market and/or discuss Your annuity products. In Your identification, also state whether each Person is, or has been, employed at VOYA and the position(s) each Person has held at VOYA (if any).

5. Please Identify (as that term is defined above in ¶(m)) the Person(s) who served as Your relationship manager with Morgan Stanley at any time between January 1, 2008 and December 31, 2015. In Your identification, also state whether each Person is, or has been, employed at VOYA and the position(s) each Person has held at VOYA (if any).

6. If you contend that no VOYA agent, employee, officer, or representative ever told Mr. Bailey that You would pay trail commissions of 0.25% for the first seven years after the start of a sold VOYA annuity, and 1% thereafter, please state the principal and/or material facts upon which you base that contention.

7. Please state the amount of trail commissions You have paid out regarding each of the following VOYA annuities: Policy #s C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X. In Your statement, please include an itemized list of the trail commission payments You have made regarding each of the above-listed policies.

8. Please explain the process You use in determining the timing and amount of trail commissions to be paid regarding a sold VOYA annuity.

9. Please state whether You have been properly named in the style of the Complaint and, if not, please state Your proper and legal name.

10. If you contend a written contract governs Your obligation to pay the trail commissions in dispute, please Identify (as that term is defined above in ¶ (m)) that written contract and provide a description of its material terms (e.g., the percentage of the trail commissions, etc.).

REQUESTS FOR PRODUCTION

1. Please produce all Documents (as that term is defined in ¶ (n) above) reflecting any agreement You made relating to the payment of trail commissions for the following VOYA annuities: Policy #s C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X.

2. Please produce all Documents (as that term is defined in ¶ (n) above) reflecting the amounts of trail commission You have paid regarding the following VOYA annuities: Policy #s C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X.

3. Please produce the following VOYA annuities: Policy #s C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X.

4. Please produce all Communications (as that term is defined above in ¶(q)) that mention, pertain, or relate to trail commissions on the following VOYA annuities: Policy #s

C091174-0X, C107110-0X, C087541-0X, C088308-0X, I089965-0X, C100703-0X, C099220-0X, C099516-0X, C099219-0X, C099810-0X, C100028-0X, C067856-0X, C067868-0X, C067852-0X, C067863-0X, I167277-0X, C143129-0X, C164992-0X, C170573-0X, C140374-0X, C102518-0X, C102773-0X.

5. Please produce all Communications (as that term is defined above in ¶(q)) that mention, pertain, or relate to Mr. Bailey.

6. Please produce all Documents (as that term is defined in ¶(n) above) that mention, pertain, or relate to Mr. Bailey.

Respectfully Submitted,

/s/ John C. Guin
Attorney for Plaintiffs

OF COUNSEL:

Andrew P. Campbell
John C. Guin
CAMPBELL GUIN, LLC
505 20th Street North, Suite 1600
Birmingham, AL 35203
Telephone: (205) 224-0750
andy.campbell@campbellguin.com
john.guin@campbellguin.com

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of December, 2016, I have served a copy of the foregoing via Certified U.S. Mail postage prepaid and properly addressed to the following:

VOYA Financial Inc.
c/o RL&F Service Corp.
1 South Rodney Drive
Wilmington, DE 19809

/s/ John C. Guin



AlaFile E-Notice

01-CV-2016-904565.00

To: JOHN CALDWELL GUIN
john.guin@campbellguin.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

The following alias summons was FILED on 3/13/2017 9:41:20 AM

Notice Date: 3/13/2017 9:41:20 AM

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov



AlaFile E-Notice

01-CV-2016-904565.00

To: VOYA FINANCIAL INC.
THE CORP. TRUST CO.
1209 ORANGE STREET
WILMINGTON, DE, 19801

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

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State of Alabama Unified Judicial System Form C-34 Rev 6/88	SUMMONS - CIVIL -	Case Number: 01-CV-2016-904565.00
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IN THE CIRCUIT COURT OF JEFFERSON COUNTY
 ROBERT BAILEY V. VOYA FINANCIAL INC.

VOYA FINANCIAL INC., THE CORP. TRUST CO. 1209 ORANGE STREET, WILMINGTON, DE 19801

NOTICE TO _____

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE OPPOSING PARTY'S ATTORNEY JOHN CALDWELL GUIN

WHOSE ADDRESS IS 505 20th St., N, 16th Floor, BIRMINGHAM, AL 35203

THE ANSWER MUST BE MAILED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.

TO ANY SHERIFF OR ANY PERSONNEL AUTHORIZED by the Alabama Rules of the Civil Procedure:

☐ You are hereby commanded to serve this summons and a copy of the complaint in this action upon the defendant

☒ Service by certified mail of this summons is initiated upon the written request of BAILEY ROBERT

pursuant to the Alabama Rules of the Civil Procedure

Date 3/13/2017 9:41:20 AM /s/ ANNE-MARIE ADAMS

Clerk/Register

JEFFERSON COUNTY, ALABAMA

716 N. RICHARD ARRINGTON BLVD.

BIRMINGHAM, AL 35203

☒ Certified Mail is hereby requested /s/ JOHN CALDWELL GUIN

Plaintiff's/Attorney's Signature

RETURN ON SERVICE:

☐ Return receipt of certified mail received in this office on _____

☐ I certify that I personally delivered a copy of the Summons and Complaint to _____

_____ in _____ County, Alabama on _____ (Date)

Date _____	Server's Signature _____	Address of Server _____
Type of Server _____	Server's Printed Name _____	_____
		Phone Number of Server _____

MAR 1 2017



NOTICE TO CLERK

REQUIREMENTS FOR COMPLETING SERVICE BY
CERTIFIED MAIL OR FIRST CLASS MAIL

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
ROBERT BAILEY V. VOYA FINANCIAL INC.

01-CV-2016-904565.00

To: CLERK BIRMINGHAM
clerk.birmingham@alacourt.gov

TOTAL POSTAGE PAID: \$7.92

Parties to be served by Certified Mail - Return Receipt Requested

VOYA FINANCIAL INC.
THE CORP. TRUST CO.
1209 ORANGE STREET
WILMINGTON, DE 19801

ALIAS Dool

Postage: \$7.92

7015 0640 0004 4819 7181

Parties to be served by Certified Mail

Parties to be served by First Class Mail

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
Certified Mail Fee Extra Services & Fees (check box, add fee as appropriate) <input type="checkbox"/> Return Receipt (hardcopy) \$ <input type="checkbox"/> Return Receipt (electronic) \$ <input type="checkbox"/> Certified Mail Restricted Delivery \$ <input type="checkbox"/> Adult Signature Required \$ <input type="checkbox"/> Adult Signature Restricted Delivery \$	Postage \$
Total Postage and Fees \$	
Sent to Street and Apt. No. City, State, ZIP+4®	
VOYA FINANCIAL INC. THE CORP. TRUST CO. 1209 ORANGE STREET WILMINGTON, DE 19801	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

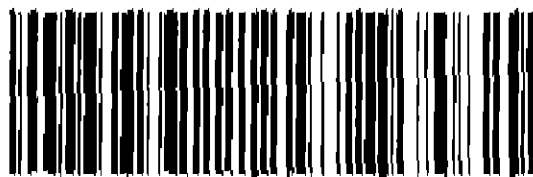
MAR 1 2017
Postmark
Here

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

VOYA FINANCIAL INC.
THE CORP. TRUST CO.
1209 ORANGE STREET
WILMINGTON, DE 19801



9590 9401 0030 5168 5370 85

2. Article Number (Transfer from service label)

7015 0640 0004 4819 7181

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from Item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

ALIAS
Don

CV-2016-904565 As + C

3. Service Type

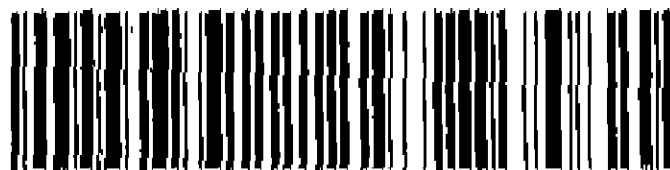
☐ Adult Signature☐ Adult Signature Restricted Delivery☒ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Insured Mail☐ Insured Mail Restricted Delivery (over \$500)☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☒ Return Receipt for Merchandise☐ Signature Confirmation™☐ Signature Confirmation Restricted Delivery

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

VOYA FINANCIAL INC.
THE CORP. TRUST CO.
1209 ORANGE STREET
WILMINGTON, DE 19801



9590 9401 0030 5158 5370 85

2. Article Number (Transfer from service label)

7015 0640 0004 4819 7181

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *Amy McLaren* ☐ Agent ☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

RECEIVED MAR 21 2017

ALIAS
Dori

CV-2016-904565 As + C

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

FILED IN OFFICE
CIRCUIT CIVIL DIVISION

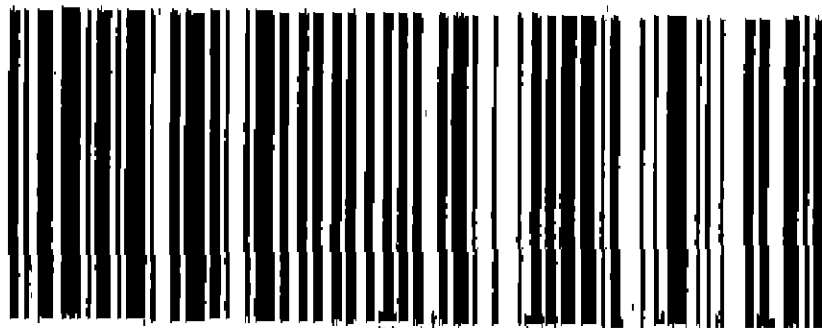
• Sender: Please print your name, address, and ZIP+4® in this box

ANNE-MARIE ADAMS, CLERK
JEFFERSON COUNTY CIRCUIT COURT
CIVIL DIVISION - ROOM 400
716 NO. RICHARD ARRINGTON BLVD
BIRMINGHAM, ALABAMA 35203

APR 28 2017

ANNE-MARIE ADAMS
CLERK

USPS TRACKING#



9590 9401 0030 5168 5370 85



AlaFile E-Notice

01-CV-2016-904565.00

Judge: JAVAN J. PATTON

To: GUIN JOHN CALDWELL
john.guin@campbellguin.com

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

ROBERT BAILEY V. VOYA FINANCIAL INC.
01-CV-2016-904565.00

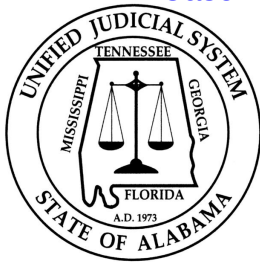
The following matter was served on 3/21/2017

D001 VOYA FINANCIAL INC.

Corresponding To
CERTIFIED MAIL
ALIAS S/C

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
716 N. RICHARD ARRINGTON BLVD.
BIRMINGHAM, AL, 35203

205-325-5355
anne-marie.adams@alacourt.gov



AlaFile E-Notice

01-CV-2016-904565.00

Judge: JAVAN J. PATTON

To: CAMPBELL ANDREW PHILLIP
andy.campbell@campbellguin.com

NOTICE OF SERVICE

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Corresponding To

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